

HIGH COURT OF HIMACHAL PRADESH SHIMLA- 171 001



ANNUAL REPORT

FOR

THE YEAR 2021-22
(Updated upto 31.03.2022)



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REGISTRAR GENERAL,
High Court of Himachal Pradesh,
Shimla- 171 001.

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PART- I

INTRODUCTION, BRIEF HISTORY & BACKGROUND OF HIGH COURT OF HIMACHAL PRADESH

CHAPTER-1

INTRODUCTION AND BACKGROUND

In the constitutional scheme, our founding fathers, while drafting the Constitution of India and more particularly the Preamble thereof, made a mention of the “Justice” being an essential ingredient of the Constitution of India. It gave precedence to Justice over liberty and equality and fraternity because as per them unless there is justice, liberty is meaningless and fraternity cannot be achieved in absence of justice. Justice and liberty are essential for securing equality.

For securing the justice, the Constitution of India provides a pivotal role to the Indian Judiciary, so that it could act as a guardian of the Constitution of India and also securing justice to the people of the country. With a view to discharge the obligations having been cast upon it by the Constitution of India, the Indian Judiciary has always strived hard to come to the expectations of the people of the country and the founding fathers of the Constitution.

Within the limited resources at its command, the Indian Judiciary has been maintaining data with regard to institution and disposal of cases by it. But the Law Commission of India and various other legal experts have expressed their concern on the lack of appropriate judicial data base in High Courts for the purpose of research and policy formulation in areas such as judicial infrastructure, manpower requirement of judiciary and budgeting and planning for court development etc. The then Hon'ble Minister of Law and Justice, Government of India, in his demi official letter dated 16.10.2015, addressed to Hon'ble the Chief Justices of High Courts, informed that with the computerization of High Courts and District Judiciary, it has now become possible for the High Courts to obtain real time data and develop the necessary data analysis tool to disseminate necessary information on functioning of the High Courts and District & Subordinate Courts. He also informed that an Annual Report of each High Court can play an important role in highlighting the work of judiciary as a public institution.

Hon'ble the then Chief Justice, High Court of Himachal Pradesh, immediately on responding to the demi official letter dated 16.10.2015 of the then Hon'ble Minister, Law and Justice, Government of India, on 02.11.2015, constituted a Committee of two Hon'ble Judges of the High Court of Himachal Pradesh, namely, “**Committee for Drawing Annual Report**” comprising two Hon'ble Judges, as Members of the Committee and the CentralProject Coordinator, High Court of H.P. as the Secretary. At present the Committee

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consists of Hon'ble Mr. Justice C.B. Barowalia and Hon'ble Mr. Justice Satyen Vaidya.

Hon'ble the Chief Justice was further pleased to direct that the Annual Report be prepared for each financial year with quarterly updation and displayed on the website of the High Court of H.P.

BRIEF HISTORY OF HIGH COURT OF HIMACHAL PRADESH

Precisely, the former Princely States had different systems of Administration and set of laws and in most of the Princely States, the administration was run on the whims of the Rulers or Wazirs and their words were considered to be the law. Himachal Pradesh came to be formed as a result of integration of 26 Shimla and four Punjab Hill States into a Centrally Administered Area on 15th April, 1948. On 1st April, 1954, the parts of Bilaspur were also merged with Himachal Pradesh having its Headquarters at Shimla. The head was the Chief Commissioner. The first Chief Commissioner was Mr. N. C. Mehta and he was assisted by his deputy Mr. E. Penderal Moon, ICS. On 30th September, 1948, an Advisory Council was formed for the advice of the Chief Commissioner for administrative functions.

The Central Government promulgated the Himachal Pradesh (Courts) Order, 1948 on 15th August, 1948. As per Paragraph 3 of this Order, the Court of Judicial Commissioner was established for Himachal Pradesh which was housed at "**Harvingtan**" (Kelston area, Shimla). It was vested with the powers of a High Court under the Judicial Commissioner's Court Act, 1950. Besides the Court of Judicial Commissioner, two Courts of District and Sessions Judges and 27 Subordinate Courts were also set up. The Court of Judicial Commissioner started functioning on 15th August, 1948 and in the same year two Courts of District and Sessions Judges were also established. The Punjab High Courts Rules and Orders with suitable amendments were made applicable to the Courts in H.P. On 29th April, 1967, two more District and Sessions Judges Courts, one for Shimla and other for Kangra were established.

However in the year, 1966, the Delhi High Court Act was enacted by the Government of India and w.e.f. May 1, 1967, the Government of India extended the operation of the said Act to the Union Territory of Himachal Pradesh, replacing the Court of Judicial Commissioner by the Himachal Bench of Delhi High Court, at Shimla and it started functioning in old High Court building known as "**Ravenswood**". At that time, Hon'ble Mr. Justice K. S. Hegde was the Chief Justice of the Delhi High Court. Hon'ble Mr. Justice S. K. Kapoor and Hon'ble Mr. Justice Hardayal Hardy constituted the first circuit bench of the Delhi High Court which held Court at Shimla in the building known as "**Ravenswood**".

The Himachal Pradesh attained the Statehood in the year, 1971, and established its own High Court with Headquarters at "Ravenswood", Shimla, having Hon'ble the Chief Justice and two Hon'ble Judges. The first Chief Justice of the High Court of Himachal Pradesh was Hon'ble Mr. Justice M. H. Beg and the other two Hon'ble Judges were Hon'ble Mr. Justice D. B. Lal and Hon'ble Mr. Justice C. R. Thakur.



The Old High Court Building "Ravenswood"



The New Complex of High Court of Himachal Pradesh

Hon'ble Mr. Justice R. S. Pathak, Hon'ble Mr. Justice T. U. Mehta, Hon'ble Mr. Justice V. D. Misra, Hon'ble Mr. Justice P. D. Desai, Hon'ble Mr. Justice N.M. Kasliwal, Hon'ble Mr. Justice P. C. B. Menon, Hon'ble Ms. Justice Leila Seth, Hon'ble Mr. Justice S. K. Seth, Hon'ble Mr. Justice V. Ratnam, Hon'ble Mr. Justice G. C. Gupta, Hon'ble Mr. Justice S. N. Phukan, Hon'ble Mr. Justice M. Srinivasan, Hon'ble Mr Justice M. N. Rao, Hon'ble Mr. Justice D. Raju, Hon'ble Mr. Justice C. K. Thakker, Hon'ble Mr. Justice W.A. Shishak, Hon'ble Mr. Justice V.K. Gupta, Hon'ble Mr. Justice Jagdish Bhalla, Hon'ble Mr. Justice Kurian Joseph, Hon'ble Mr. Justice A. M. Khanwilkar, Hon'ble Mr. Justice Mansoor Ahmad Mir, Hon'ble Mr. Justice Suryakant, Hon'ble Mr. Justice V. Ramasubramanian and Hon'ble Mr. Justice L. Narayana Swamy were the other illustrious and eminent jurists who adorned the office of Hon'ble the Chief Justice of High Court of Himachal Pradesh and have left a distinct mark of their personalities on the working of the High Court.

Some of the sitting judges of this High Court brought laurels by adorning the office of Chief Justice of other High Courts. Hon'ble Mr. Justice Bhawani Singh adorned the office of Chief Justice of Jammu & Kashmir High Court, then Madhya Pradesh High Court and then

Gujarat High Court. Hon'ble Mr. Justice Devinder Gupta became Chief Justice of Andhra Pradesh High Court. Hon'ble Mr. Justice Deepak Gupta became the first Chief Justice of Tripura High Court and later on adorned the office of Chief Justice of Chhatisgarh High Court. Hon'ble Ms. Justice Abhilasha Kumari became the first woman to become the Chief Justice of the Manipur High Court. Hon'ble Mr. Justice Sanjay Karol became the Chief Justice of High Court of Tripura and at present is the Chief Justice of High Court of Judicature at Patna.

Hon'ble Mr. Justice M. H. Beg, Hon'ble Mr Justice R. S. Pathak, Hon'ble Mr. Justice N. M. Kasliwal, Hon'ble Mr. Justice S.N. Phukan, Hon'ble Mr. Justice M. Srinivasan, Hon'ble Mr. Justice D. Raju, Hon'ble Mr. Justice C.K. Thakkar, Hon'ble Mr. Justice Kurian Joseph, Hon'ble Mr. Justice A.M. Khanwilkar, Hon'ble Mr. Justice Deepak Gupta, Hon'ble Mr. Justice Surya Kant and Hon'ble Mr. Justice V.Ramasubramanian, were elevated to the Apex Court. Hon'ble Mr. Justice M. H. Beg and Hon'ble Mr. Justice R. S. Pathak had the distinction of becoming Hon'ble Chief Justices of the Supreme Court of India. Hon'ble Mr. Justice R. S. Pathak was also appointed a Judge of International Court of Justice at Hague. Hon'ble Mr. Justice Lokeshwar Singh Panta had also the privilege of elevation to Hon'ble Supreme Court of India, directly from the Judge of Hon'ble High Court of Himachal Pradesh.

At present, the august office of Hon'ble the Chief Justice is adorned by Hon'ble Mr. Justice Mohammad Rafiq, under whose able leadership the High Court of Himachal Pradesh as well as the District Judiciary, are progressing by leaps and bounds. Thus, though small, yet this High Court has a place of pride in judicial milieu of our country. Now the strength of the Judges of the High Court of Himachal Pradesh is thirteen including the Chief Justice whereas the sitting Judges including Hon'ble the Chief Justice are nine.

CHAPTER-2

HON'BLE THE CHIEF JUSTICE AND HON'BLE JUDGES IN THE HIGH COURT OF HIMACHAL PRADESH AS ON 31.03.2022

1.	HON'BLE MR. JUSTICE MOHAMMAD RAFIQ	HON'BLE THE CHIEF JUSTICE
2.	HON'BLE MRS. JUSTICE SABINA	HON'BLE JUDGE
3.	HON'BLE MR. JUSTICE TARLOK SINGH CHAUHAN	HON'BLE JUDGE
4.	HON'BLE MR. JUSTICE VIVEK SINGH THAKUR	HON'BLE JUDGE
5.	HON'BLE MR. JUSTICE AJAY MOHAN GOEL	HON'BLE JUDGE
6.	HON'BLE MR. JUSTICE SANDEEP SHARMA	HON'BLE JUDGE
7.	HON'BLE MR. JUSTICE CHANDER BHUSAN BAROWALIA	HON'BLE JUDGE
8.	HON'BLE MS. JUSTICE JYOTSNA REWAL DUA	HON'BLE JUDGE
9.	HON'BLE MR. JUSTICE SATYEN VAIDYA	HON'BLE JUDGE

CHAPTER-3

MAIN ACTIVITIES / EVENTS / INITIATIVES

Main Activities/ Events /Initiatives during the period (01.04.2021 to 31.03.2022)

1. Two newly appointed Judicial Officers in the cadre of Civil Judges were detailed for induction training in the H.P. Judicial Academy, Shimla.
2. The process for filling up of ten vacancies i.e. five existing, one future and four existing vacancies on adhoc basis for FTS Courts, in the cadre of District Judges/Additional District Judges, by way of promotion was initiated.
3. The process for filling up ten vacancies i.e. six resultant vacancies & four resultant vacancies on adhoc basis in the cadre of Sr. Civil Judges by way of promotion from amongst the Civil Judges was initiated.
4. Regarding Subordinate Court staff, during the period the selected candidates against the advertised 07 posts of driver, have been allotted to the concerned Civil & Sessions Divisions in the State of H.P.

CHAPTER-4

FUNCTIONING OF GRIEVANCE REDRESSAL MECHANISM

Whenever any public grievance is received either against any judicial officer or any member of the staff of H.P. Judiciary, the same is received in Secretariat of Hon'ble the Chief Justice. Thereafter, such grievances are forwarded to the Vigilance Branch on the directions of Hon'ble the Chief Justice and after conducting the inquiry, the grievances are effectively settled under the orders of Hon'ble the Chief Justice.

However, a web-based Grievance Redressal & Suggestions Mechanism is also available on the website of High Court of Himachal Pradesh. Any person can post his /her Grievance / Suggestion online also on this Mechanism and there are comprehensive provisions to deal with the Grievance & Suggestions received online.

Guidelines for dealing with the complaints against the District Judiciary

Guidelines for dealing with the complaints against the District Judiciary have been upgraded and modified as under:

- A. *The complaint making allegations against members of the District Judiciary in the State should not be entertained and no action should be taken thereon, unless it is accompanied by a duly sworn Affidavit and/or verifiable material to substantiate the allegations made therein.*
- B. *If action on such complaint meeting the above requirement is deemed necessary, authenticity of the complaint should be duly ascertained and further steps thereon should be taken only after satisfaction of the competent authority designated by the Chief Justice of the High Court.*
- C. *If the above requirements are not complied with, the complaint should be filed/lodged without taking any steps thereon.*

PART- III

LAND MARK JUDGMENTS OF PUBLIC INTREST

CHAPTER- 5

LANDMARK DECISIONS OF PUBLIC IMPORTANCE

HighCourt of Himachal Pradesh, though a small High Court, has enjoyed a good reputation of delivering judgments and orders which are in the category of landmark judgments in the judicial history of our country. The High Court of Himachal Pradesh, has delivered various judgments and laid down many decisions of public importance, a few judgments delivered during the period 01.04.2021 to 31.03.2022, deserving mention are:

LAND MARK JUDGMENTS OF PUBLIC IMPORTANCE DELIVERED DURING THE PERIOD 01.04.2021 to 31.03.2022

Sr. No.	Coram	Nature of the case with No.	Title of the case	Subject matter of the decision in brief	10.08.2021
1	2	3	4	5	11.08.2021
1.	Hon'ble the Chief Justice Mr. Justice Mohammad Rafiq and Hon'ble Mrs. Justice Sabina, Judge.	CWP 4451/2021	Yadvi Sharma vs. CBSE	Point involved: Correction of the name of mother of the petitioner as Sangeeta Sharma by the Board within one month, in view of JigyaYadav (Minor) (Through Guardian/Father Hari Singh) versus Central Board of Secondary Education and others, reported in(2021) 7 Supreme Court Cases 535, and in particular, para 37 of the judgment, where a similar request made by a student Shita Khandelwal in the Rajasthan High Court was granted, directing the change of the name of her mother from 'Seema Manak' to 'Sanyogeta Manak' and the Letters Patent Appeal filed by the Board was dismissed by the Rajasthan High Court in CBSE versus Ishita Khandelwal, reported in 2019 SCC OnLine Raj7789. Hon'ble Supreme Court has upheld the aforesaid decision of the Rajasthan High Court and issued certain directions, in para 194 of the judgment as to the manner in which necessary corrections are required to be made. Jigya Yadav (Minor) (Through Guardian/Father Hari Singh) versus Central Board of Secondary Education and others, reported in(2021) 7 Supreme Court Cases 535, and in particular, para 37 of the judgment, where a similar request made by a studentIshita Khandelwal in the Rajasthan High Court was granted, directing the change of the name of her mother from 'Seema Manak' to 'Sanyogeta Manak' and the Letters Patent Appeal filed by the Board was dismissed by the Rajasthan High Court in CBSE versus Ishita Khandelwal, reported in 2019 SCC OnLine Raj7789.Hon'ble Supreme Court has upheld the aforesaid decision of the Rajasthan High Court and issued certain directions, in para 194 of the judgment as to the manner in which	11.08.2021

Sr. No.	Coram	Nature of the case with No.	Title of the case	Subject matter of the decision in brief	10.08.2021
1	2	3	4	5	11.08.2021
				necessary corrections are required to be made. Held: Writ petition was allowed and order passed by respondent No. 1 Board, dated 9th May, 2021 (Annexure P14) set aside and directing respondent No. 1 Board to issue fresh certificate with the correction prayed for, in conformity with the directions issued by the Hon'ble Supreme Court in para 194 of the judgment in Jigya Yadav's case (supra), within a period of one month	
2.	Hon'ble the Chief Justice Mr. Justice Mohammad Rafiq	ARB.C. 32/2019	M/s Gurnam Singh Construction vs. Sacred Heart School.	Point involved: An Arbitration Clause contained in the Agreement that in case of any dispute or if any difference arises between the parties during the progress of or after construction or abandonment of the work as to the meaning of construction of this contract or touching or relating either to the said building or works, or to any other matter or thing arising directly or indirectly under this contract, then and in such an event the same shall be referred to Arbitration and the final decision of single arbitrator to be mutually agreed between the parties who alone shall consider to determine the same and whose certificate or award shall be binding and shall be conclusive upon both the said parties otherwise two arbitrators one to be appointed by each party will act as umpires, at the commencement of proceedings and this clause shall be deemed as submissions within the meaning of Arbitration Act or Statutory modification or re-enactment In the event of any dispute arising or differences between the parties relating to or in connection with this agreement or any aspect of it, the same shall first be tried to resolve within a period of fifteen days from the date of dispute and is first brought to the notice of other party for such an amicable resolution, or the same shall be referred to mutually acceptable arbitrator whose award shall be final binding on both the parties. The arbitrator shall give a reasoned award. The venue of arbitration shall be decided by the owner. The cost of arbitration shall be shared equally by both the parties." Whether in the facts and circumstances of the case unilateral appointment of arbitration is sustainable in law. Held: Unilateral appointment unsustainable in law. Reference was placed on M.K. Jain and others vs. Angle Infrastructure Pvt Ltd OMP (T) (COMM.) 86/2020 & I.A. 12304/2020, Union of India vs. M/s Tantia Constructions Limited: SLP (C) 12670/2020 decided on 11.01.2021, City Lifeline Travels Private Ltd. vs. Delhi Jal Board Arb. P. 4 of 2021 dated	16.08.2021

Sr. No.	Coram	Nature of the case with No.	Title of the case	Subject matter of the decision in brief	10.08.2021
1	2	3	4	5	11.08.2021
				27.1.2021 reported in 2021 Law Suit(Del) 66, Walter Bau Legal Successor of Original Contractor Dycker Hoff & Widmann AG vs. Municipal Corporation of Greater Mumbai & another, (2015) 3 SCC 800 and Perkins Eastman Architects DPC vs. HSCC (India) Pvt. Ltd. 2019 SCC OnLine SC 1517.	
3.	Hon'ble the Chief Justice Mr. Justice Mohammad Rafiq and Hon'ble Ms. Justice Jyotsna Rewal Dua, Judge.	CWP 2041/2017	Simplex Infrastructure vs. HP Micro and Small Facilitation Council	<p>Point involved:The petitioner-company invoked arbitration clause incorporated in the purchase orders/work orders as the dispute arose in connection with the execution of the work orders. Invoking the aforesaid arbitration clause in the work orders, the petitioner-company appointed Hon'ble Mr. Justice I.P. Vashishth (Retired) as a sole arbitrator to adjudicate upon the disputes in both the matters.</p> <p>Held that Arbitration Act is a self contained code dealing with every aspect of arbitration. The legislative policy in consolidating all the laws relating to domestic arbitration, international commercial arbitration, enforcement of foreign arbitral awards is aimed at ensuring not only speedy disposal of arbitration cases but also timely execution of the awards. Section 16(2) of the Arbitration Act stipulates that a plea that the Arbitral Tribunal does not have jurisdiction shall be raised not later than the submission of the statement of defence; however, a party shall not be precluded from raising such a plea merely because that he has appointed, or participated in the appointment of, an arbitrator. Sub-section (5) of Section 16 provides that the Arbitral Tribunal shall decide on a plea referred to in sub Section (2) or sub-Section (3) and, where the Arbitral Tribunal takes a decision rejecting the plea, continue with the arbitral proceedings and make an arbitral award. The language employed by the Parliament in this sub-Section thus makes its intention clear that once if the Arbitral Tribunal takes a decision to reject the plea, it shall continue with the arbitral proceedings and make an arbitral award. It cannot however be said for this that the aggrieved party has been left remediless against the rejection of its objection as to the jurisdiction of the arbitral tribunal. The only thing is that its remedy has been deferred till the stage of Section 34 of the Arbitration Act arises as is evident from sub Section (6) of Section 16 of the Arbitration Act, which inter alia provides that the parties aggrieved by such an arbitral award may make an application for setting aside such an arbitral award in accordance with Section 34. This is also evident from section 37 (2) of the</p>	26.08.2021

Sr. No.	Coram	Nature of the case with No.	Title of the case	Subject matter of the decision in brief	10.08.2021
1	2	3	4	5	11.08.2021
				Arbitration Act which, vide its sub-Clause (a), while providing for an appeal to a Court from an order of the Arbitral Tribunal accepting the plea referred to in sub-Section (2) or sub-Section (3) of Section 16, purposely does not provide for an appeal against an order of the Arbitral Tribunal rejecting the plea referred to in sub-Section (2) or sub-Section (3) of Section 16 rejecting such objections.	
4.	Hon'ble the Chief Justice Mr. Justice Mohammad Rafiq and Hon'ble Mrs. Justice Sabina, Judge.	CWP 2061/2018	S.C. Kainthla vs. State	<p>Point involved: <i>Inter se</i> seniority between the District Judges disputes: The petitioners have prayed for direction to the respondent Himachal Pradesh High Court to create cadre of Civil Judge (Senior Division) with effect from 01.07.1996 in accordance with directions of the Supreme Court in <i>All India Judges Association vs. Union of India and Others, (2002) 4 SCC 247</i>, and order of the Supreme Court dated 24.08.2016 passed in I.A. No. 334/2014 in W.P.(C) No. 1022/1989 and grant them all consequential benefits. Further prayer is made that the respondents be directed to follow the post based roster system with effect from 31.03.2003 in conformity with the report of its two-Judge-committee and declare the petitioners senior to the respondents No. 3 and 4 and grant all consequential benefits to them including one for consideration for elevation as Judges of this Court. Further prayer is made that seniority list circulated with effect from 01.01.2005, particularly seniority list dated 18.01.2018, showing petitioners junior to respondents No. 3 and 4, be quashed and set aside.</p> <p>Held: The deviation from the schedule for enforcing the amended rules and applying the cyclic order of seniority as per roster point according to direction in the <i>All India Judges Association's</i> case has not been interfered with by the Supreme Court in matters coming from different High Courts. The court was not persuaded to interfere the matter. Petition was dismissed. Catena Supreme Courts judgment referred.</p>	14.09.2021
5.	Hon'ble the Chief Justice Mr. Justice Mohammad Rafiq	ARB.C 61/2020	Backend Bangalore Private Limited vs. Chief Engineer-cum-Project Director.	<p>Point involved: This petition under Section 11(6) of the Arbitration and Conciliation Act, 1996, (for short 'the Act'), has been filed by M/s Backend Bangalore Private Limited, inter alia, praying for referring the dispute arising between the petitioner and the respondent-Chief Engineer-cum-Project Director, State Roads Project, Himachal Pradesh Road and Infrastructure Development Corporation Limited (for short 'HPRIDC') to arbitration by constitution of an independent Arbitral Tribunal</p>	14.09.2021

Sr. No.	Coram	Nature of the case with No.	Title of the case	Subject matter of the decision in brief	10.08.2021
1	2	3	4	5	11.08.2021
				to be presided over by the Sole Arbitrator. Held: Hon'ble Mr. Justice Rajiv Sharma (Retd.), R/o House No.505, Sector 36-B, Chandigarh, is appointed as an Arbitrator, after his disclosure in writing is obtained in terms of Section 11(8) of the Act and only after receipt thereof, shall his appointment, as an Arbitrator, come into force.	
6.	Hon'ble the Chief Justice Mr. Justice Mohammad Rafiq, Hon'ble Mr. Justice Ajay Mohan Goel, Judge and Hon'ble Mr. Justice Sandeep Sharma, Judge (Full Bench)	LPA 33/2021	State of HP vs. Sita Ram Sharma	Point involved: This matter has been referred to the Larger Bench by order dated 5th April, 2021, in view of the conflict of opinion between judgment dated 8th August, 2017, passed by the Division Bench of this Court in LPA No.79 of 2017, titled as State of H.P. & others Versus Bhoop Ram and another set of two judgments passed in LPA No.93 of 2017, titled as State of H.P. & ors. Versus Dalip Singh, decided on 28.11.2019 and LPA No.12 of 2019, titled as State of H.P. & others Versus Laiq Ram Dogra, decided on 23.03.2021. The learned Division Bench has formulated the following question for being answered by the Larger Bench:- "Whether a person(s) whose land(s) has been utilized for construction of road under 'PMGSY' is entitled to compensation? Held: The question referred to by the Division Bench, is, therefore, answered in the affirmative that a person whose land has been utilized for construction of road under PMGSY is entitled to compensation unless it is proved to the satisfaction of the Court that the land was voluntarily donated or given by him willingly with free will and consent for construction of such road.	27.09.2021
7.	Hon'ble the Chief Justice Mr. Justice Mohammad Rafiq and Hon'ble Ms. Justice Jyotsna Rewal Dua, Judge.	LPA 104/2021	State of HP vs. Jagdish Kumar	The Letters Patent Appeal seeks to challenge the judgment dated 23.06.2021, passed by the learned Single Judge, whereby CWP No.3047 of 2020, titled Jagdish Kumar & others Versus State of Himachal Pradesh & others, was allowed, with a direction to the appellants herein to engage the respondents as Pump Attendants from the dates their counterparts/juniors were engaged, with all consequential benefits, including seniority and monetary benefits; on or before 31st July, 2021. The appellants were also directed to make payments of arrears of emoluments on or before 31st August, 2021. Held: In the light of the view taken while disposing of LPA No.104 of 2021 and upholding the judgment dated 23.06.2021 passed by the learned Single Judge in CWP No.3047 of 2020, titled as Jagdish Kumar & others Versus State of Himachal Pradesh & others, both these Civil Writ petitions were allowed. Accordingly, the respondents were directed to bring the services of the petitioners	27.10.2021

Sr. No.	Coram	Nature of the case with No.	Title of the case	Subject matter of the decision in brief	10.08.2021
1	2	3	4	5	11.08.2021
				on contractual establishment with all consequential benefits.	
8.	Hon'ble the Chief Justice Mr. Justice Mohammad Rafiq, Hon'ble Mr. Justice Ajay Mohan Goel, Judge and Hon'ble Mr. Justice Sandeep Sharma, Judge (Full Bench)	CWP 2190/2020	Jai Singh vs. State	<p>The Division Bench of this Court taking note of the divergent views expressed by different Division Benches, some of which were at variance with Full Bench decision of this Court in CWP No. 1486 of 2007, titled Liaq Ram vs. State of H.P. & others, decided on 6th January, 2011, has made the reference to the Larger Bench on the following question:-“Since there is inconsistency in various decisions of this Court with regard to the power and authority of the appropriate Government in making/refusing a reference under Section 10 of Industrial Disputes Act on the grounds of delayed-stale claims/faded, eclipsed, dead disputes etc. raised by workmen, therefore, the question of law requires authoritative pronouncement by a Larger bench.</p> <p>Held:</p> <p>i)That the function of the appropriate Government while dealing with question of making reference of industrial dispute under Section 10(1) of the Act, is an administrative function and not a judicial or quasi judicial function.</p> <p>ii)That the Government before taking a decision on the question of making reference of the industrial dispute has to form a definite opinion whether or not such dispute exists or is apprehended.</p> <p>iii)That whether or not the industrial dispute exists or is apprehended in the meaning of Section 10(1) of the Act can be decided by the appropriate Government alone and not by any other authority including by this Court.</p> <p>iv)That the appropriate Government in discharging the administrative function of taking a decision to make or refuse to make, reference of the industrial dispute under Section 10(1) of the Act, has to apply its mind on relevant considerations and has not to act mechanically as a post office.</p> <p>v)That while forming an opinion as to whether the industrial dispute exists or is apprehended, the appropriate Government is not entitled to adjudicate the dispute itself on merits.</p> <p>vi)That the delay by itself does not denude the appropriate Government of its power to examine advisability of making reference of the industrial dispute but the delay would certainly be relevant for deciding the basic question whether or not the industrial dispute“exists” which also includes the decision to find out whether on account of delay the dispute has ceased to exist or has ceased to be alive or has become stale or has faded away.</p>	29.10.2021

Sr. No.	Coram	Nature of the case with No.	Title of the case	Subject matter of the decision in brief	10.08.2021
1	2	3	4	5	11.08.2021
				<p>vii) That whether or not a dispute is alive or has become stale or non-existent, would always depend on the facts of each case and no rule of universal application can be laid down for the same.</p> <p>viii) That even if Section 10(1) of the Act empowers the appropriate Government to form an opinion "at any time" on the question whether any "industrial dispute" "exists or is apprehended", and there is no time limit prescribed for taking such a decision, yet such power has to be exercised by the appropriate Government within a reasonable time.</p> <p>ix) That the period for making reference of industrial dispute is co-extensive with the existence of dispute because the factum of the "existence" or "apprehension of the dispute" is conditioned by the effect of the delay on the liveliness of the dispute.</p> <p>x) That the appropriate Government in arriving at the decision to make a reference of industrial dispute or otherwise, in the context of delay, may examine whether the workman or the Union has been agitating the matter before the appropriate fora so as to keep the dispute alive, which however, does not necessarily mean that in a case where such action has not been initiated, the dispute has ceased to exist.</p> <p>xi) That the appropriate Government can, as per Section 10(1) of the Act, take a decision on the question of making reference "at any time", thus implying that there is no limitation in taking such decision and the provisions of Article 137 of the Schedule to Limitation Act, 1963 are not applicable to such proceedings.</p> <p>While reiterating the law earlier laid down by the Full Bench in Liaq Ram (supra), the reference is answered accordingly, with further and additional clarifications on the issue involved. Let the matters now be listed before the appropriate Bench for regular hearing.</p>	
9.	Hon'ble the Chief Justice Mr. Justice Mohammad Rafiq and Hon'ble Mrs. Justice Sabina, Judge	CWPS No. 7075 & 7076 of 2021	State of H.P. Vs. Sarla Devi Sethi and Ors.	During inquiry, it transpired that Roshan Lal Sethi had been doing agriculture work at the time of commencement of the Act. Accordingly, the writ petitions are dismissed.	11.11.2021
10.	Hon'ble the Chief Justice Mr. Justice Mohammad Rafiq and Hon'ble Mrs. Justice Sabina, Judge	CWPOA No. 2435 of 2020	Rekha Devi Vs. State of H.P.	Since it is not a case where appointment has been given to respondent No.5 due to any <i>malafide</i> reasons, we do not find any ground to interfere in the selection of respondent No.5 to the post of Part Time Worker by the official respondents.	09.11.2021

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11.	Hon'ble the Chief Justice Mr. Justice Mohammad Rafiq and Hon'ble Mrs. Justice Sabina, Judge	LPA No. 135/2021	Naresh Kumar Vs. State of H.P.	In the facts and circumstances of the present case, learned Single Judge had rightly held that the order of regularization of services of the appellant as Work Inspector had attained finality in the year 2006, whereas, the appellant had failed to immediately raise his grievance with the appropriate authority or in the Court of competent jurisdiction.	11.11.2021
12.	Hon'ble the Chief Justice Mr. Justice Mohammad Rafiq and Hon'ble Mrs. Justice Sabina, Judge	LPA No. 147/2021	Sunita Kumari Vs. State of H.P.	The degree of Bachelor with Shiksha Visharad, as possessed by the appellant, is not recognized by the State of Himachal Pradesh. In this background, learned Single Judge had rightly held that the writ petition filed by the appellant was liable to be dismissed as she could not claim any right over and above granted to her in CWP (T) No.14218 of 2008, decided on 24.06.2011. The said judgment was passed in the case of appellant herself and is binding on her.	12.11.2021
13.	Hon'ble Mrs. Justice Sabina, Judge and Mr. Justice Satyen Vaidya, Judge	Cr.A No.4/2019	Devender Singh Vs. State of H.P.	Moreover, as per the report of FSL (Ext.PX-1), the blood stains on the knife matched with the DNA profile of the blood sample of the injured. In these circumstances, we are of the opinion that the argument raised by the learned counsel for the appellant that the recovery of knife had not been duly proved by the prosecution is liable to be rejected. Since in the present case, prosecution has been successful in establishing its case against the appellant beyond the shadow of reasonable doubt, the learned trial Court has rightly ordered the conviction and sentence of the appellant under Sections 323, 324, 326 and 307, IPC. Accordingly, the appeal is dismissed.	28.12.2021
14.	Hon'ble the Chief Justice Mr. Justice Mohammad Rafiq and Hon'ble Mrs. Justice Sabina, Judge	CWP No. 5940/2014	Prem Singh Vs. Union of India	Admittedly, petitioner had not been exonerated in the departmental proceedings. Rather, penalty had been awarded to the petitioner, i.e., to debar him for three years for promotion to group 'D' and Postman. It was only in case the petitioner had been exonerated in departmental proceedings, he would have been entitled to receive full admissible allowances for the period he had been put "off duty". However, now excess allowances for the "off duty" period have been ordered to be recovered from the petitioner after affording him an opportunity of hearing. Writ petition dismissed.	14.12.2021
15.	Hon'ble Mrs. Justice Sabina, Judge and Hon'ble Ms. Justice Jyotsna Rewaal Dua, Judge	CWP No.7633/21	Chering Funchok Vs. State of H.P.	It has been time and again held by the Hon'ble Apex Court as well as by this Court that, whenever, any transfer is ordered on the basis of a D.O. note and not by the Department, then such transfer order is liable to be set aside, unless and until it is shown that the Administrative Department has passed the same after due application of independent	4.12.2021

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				mind. Accordingly, this writ petition is allowed. Impugned transfer order dated 26 th November, 2021 (Annexure P-1) is set aside. However, the respondents would be at liberty to pass fresh order in accordance with law.	
16.	Hon'ble Mrs. Justice Sabina, Judge and Mr. Justice Satyen Vaidya, Judge	CEA Nos.1& 2/13	M/S Salja Exim Vs. Commissioner Comissionerate of Central Exercise	In this situation, Adjudicating Authority rightly came to the conclusion that the goods had already been removed from the premises of the appellant and had been discounted from the stock account maintained at the factory. Therefore, the appellant could not claim that the goods were still lying in its stock. As per Rule 9-A of the Rules, a manufacturer could avail credit <i>vis-à-vis</i> equal to the duty paid on inputs of such finished product, lying in stock or in process or contained in finished products, lying in the stock as on 31 st March, 2003 by making a written declaration. However, in the present case, the Adjudicating Authority as well as learned Tribunal rightly came to the conclusion that the goods in question could not be said to be lying with the assessee in stock as they had already been removed to the port area from the factory on the basis of issuance of invoices disclosing buyers name. In the facts and circumstances of the case, impugned order dated 22.02.2011 does not call for any interference. Accordingly, appeals are dismissed. Pending miscellaneous application(s), if any, shall also stand disposed of.	24.02.2022
17.	Hon'ble Mrs. Justice Sabina, Judge and Mr. Justice Satyen Vaidya, Judge	CWPOA No. 2758/2020		Petitioner had sought appointment from the year 2003 as Physical Education Teacher, whereas, the original application was filed in the year 2017. Thus, the writ petition is liable to be rejected on the ground of delay and laches. Moreover, petitioner had not appeared in the counselling process held on 30.04.2003. Hence, the petitioner cannot claim parity with the candidates, who had participated in the counselling process.	24.2.2022
18.	Hon'ble Mrs. Justice Sabina, Judge and Mr. Justice Satyen Vaidya, Judge	Cr.Appeal No.566 of 2019	Shamsher Singh Vs. State of H.P.	The deceased had suffered oral dying declaration before PW-5 and PW-12 as well as his mother (PW-13). Although, mother of the appellant has tried to shield him in her cross-examination, but the independent witnesses have supported the prosecution case. The deceased had no reason to falsely name his own son as an accused. PW-11, other son of the deceased, has also supported the prosecution case.	07.03.2022
19.	Hon'ble Mrs. Justice Sabina, Judge and Mr. Justice Satyen Vaidya, Judge	Cr. Appeal No.547 of 2019	Swarn Chand Vs. State of H.P.	The offence committed by the appellant is heinous. In normal circumstances, a daughter feels safe and well protected in her house. However, in the present case, protector of the prosecutrix has himself betrayed the trust and had become a violator. Earlier incident as well	10.03.2022

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				as the incident which had occurred on 18.09.2013, were not immediately reported to the police. However, when the appellant again attempted to commit the offence on 21.09.2013, the incident was immediately reported. The learned trial Court has rightly ordered the conviction of the appellant with regard to the charges framed against him. So far as the sentence part is concerned, the learned trial Court has sentenced the appellant to imprisonment for 'whole of his life' under Section 6 of the POCSO Act. However, as per Section 6 of the POCSO Act (as it was at the relevant time), whoever commits aggravated penetrative sexual assault shall be punished with rigorous imprisonment for a term which shall not be less than ten years, but which may extend to 'imprisonment for life' and shall also be liable to fine. Thus, so far as the sentence awarded by the learned trial Court to the appellant, i.e., 'imprisonment for whole of his life' is concerned, the said punishment is not provided under Section 6 of the POCSO Act. Hence, the learned trial Court has erred in awarding 'punishment for whole of his life' to the appellant under Section 6 of the POCSO Act. Consequently, the punishment under Section 6 of the POCSO Act is modified to the extent that the appellant is 'sentenced to undergo imprisonment for life' instead of 'imprisonment for whole of his life'. The remaining part of the order of sentence is upheld. Appeal stands disposed of accordingly.	
20.	Hon'ble Mrs. Justice Sabina, Judge and Mr. Justice Satyen Vaidya, Judge	CWP Nos. 2695 & 2696 of 2021	The Manager/Operational Head GVK, 108 Ambulance Sewa Vs. 108 Ambulance Sewa Contract Union	In the facts and circumstances of the present case, learned Labour Court had rightly come to the conclusion that the termination orders were liable to be set-aside as the petitioner-society had violated the mandatory provisions of Section 33(2)(b) of the Act.	21.03.2022
21.	Hon'ble Mrs. Justice Sabina, Judge and Mr. Justice Satyen Vaidya, Judge	Income Tax Appeal No.37 of 2016	Pr. Commissioner of Income Tax Vs. Smart Value Products	Although, the Assessing Officer had not found any unrecorded purchases, but had, in his own way, prepared the trading account for enhancing the gross profit. No sales were found outside the books of account. The Assessing Officer could have made the assessment as per the provisions of the Income Tax Act, 1961. In the subsequent assessment years, the Assessing Officer had passed the order under Section 143(3) of the Act in respect of the same business activities of the assessee, which gave rise to net profit of 2.53% and 2.99%. In the facts and circumstances of the case, the learned Tribunal had, thus, rightly dismissed the appeal filed by the department. The findings arrived	28.03.2022

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				by the Tribunal cannot be said to be perverse or against the material on record	
22.	Hon'ble Mr. Justice Tarlok Singh Chauhan, Judge and Hon'ble Mr Justice Chander Bhusan Barowalia, Judge	CWP No. 722 of 2021	Dharam Pal Singh vs HPU	<p>Point involved: Whether a qualification acquired by a candidate subsequent to the prescribed date can be taken into consideration to adjudge the eligibility or acquisition of higher qualification?</p> <p>Conclusion: The petitioner was an applicant for the post of Asstt. Professor in Computer Science in ICDEOL, H.P. University for which post the minimum qualification is as per the UGC Regulations. The last date for determining the eligibility of all candidates in respect of essential qualification and experience etc was 30.1.2020. As on the closing date of determining the eligibility of candidates, the petitioner had not been awarded PH.D. Degree as the same was obtained by him only in the month of December, 2020. It is more than settled that where the applications are called for prescribing a particular date as the last date for filing applications, the eligibility of the candidates has to be judged with reference to that date and that date alone. A person, who acquires the prescribed qualification subsequent to such prescribed ate, cannot be considered at all. Since in the present petition, petitioner had acquired the Ph.D. degree after the cut off date, the petition was dismissed.</p>	4.5.2021
23.	Hon'ble Mr. Justice Tarlok Singh Chauhan, Judge	CWP No. 7487 of 2014	Vijay Gupta	<p>Point involved: The petitioner is the Editor of the Hindi Weekly namely, 'Him Ujala' circulated in Himachal Pradesh, Delhi, Utrakahand, Utter Pradesh and Haryana. He has filed the present petition praying therein that the order passed by the State Level Accreditation Committee on 2.8.2014 may be quashed and set aside and to renew the accreditation of the petitioner.</p> <p>Conclusion- A complaint was received by the respondents that the petitioner submitted a fake certificate Annexure R-2/4 that he is a temporary resident of House No.11, Dashmesh Complex, Bye Pass, Paonta Sahib Dist. Sirmaur for the last 15 years, whereas this building did not exist then and was constructed in the year 2000 as per report dated 2.2.2013 issued by the Councillor, Nagar Palika, Paonta Sahib. An FIR has been lodged against the petitioner. The media has often been called the handmaiden of justice, the watch of society and the judicial, the dispenser of justice and the catalyst for social reforms. Hence, it is the utmost responsibility of all the media houses, news channels, journalists and press to ensure that their conduct is above board and they</p>	9.4.2021

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				discharge their duties in a responsible manner. The petition was dismissed with directions to the respondents to review and revise the list of accreditation so as to ensure that only genuine and credible correspondents etc. are accorded accreditation.	
24.	Hon'ble Mr. Justice Tarlok Singh Chauhan, Judge and Hon'ble Mr. Justice Chander Bhusan Barowalia, Judge	CWP 2427 of 2021	Brij Lal Thakur vs. HPSEBL	<p>Point involved: The moot question poised in the instant petition is the scope of writ petition where the orders of transfer are proposed/generated by the Member of parliament of the concerned constituency, giving a written recommendation and thereafter the same gets implemented through the Hon'ble Chief Minister, leaving virtually little or no scope for any discretion or taking any independent decision for the administrative department.</p> <p>Conclusion- In the instant case the Member of Parliament addressed a letter undated to the Hon'ble CM, recommending the transfer of Private respondent in place of the petitioner and vice-versa in condonation of short stay. The Government of H.P. imposed complete ban on transfers vide letter 20.7.2019 with clear stipulations that no transfers or adjustments would be ordered by any Departments/ Boards/Corporations Universities etc. during the ban period without obtaining the prior approval of the Hon'ble Chief Minister to the concerned Minister in charge. Thereafter other notifications were issued by the Government thereby against imposing ban on transfers. Despite the law on the subject being well settled, yet we find the same is being violated with impunity either by the political executive or by the administrative authority. The petition was allowed and the orders of transfer were set aside.</p>	4.5.2021
25.	Hon'ble Mr. Justice Tarlok Singh Chauhan, Judge and Hon'ble Mr. Justice Chander Bhusan Barowalia, Judge	CWP 2427 of 2021	Brij Lal Thakur vs. HPSEBL	<p>Point involved: The moot question poised in the instant petition is the scope of writ petition where the orders of transfer are proposed/generated by the Member of parliament of the concerned constituency, giving a written recommendation and thereafter the same gets implemented through the Hon'ble Chief Minister, leaving virtually little or no scope for any discretion or taking any independent decision for the administrative department.</p> <p>Conclusion- In the instant case the Member of Parliament addressed a letter undated to the Hon'ble CM, recommending the transfer of Private respondent in place of the petitioner and vice-versa in condonation of short stay. The Government of H.P. imposed complete ban on</p>	4.5.2021

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				transfers vide letter 20.7.2019 with clear stipulations that no transfers or adjustments would be ordered by any Departments/ Boards/Corporations Universities etc. during the ban period without obtaining the prior approval of the Hon'ble Chief Minister to the concerned Minister in charge. Thereafter other notifications were issued by the Government thereby against imposing ban on transfers. Despite the law on the subject being well settled, yet we find the same is being violated with impunity either by the political executive or by the administrative authority. The petition was allowed and the orders of transfer were set aside.	
26.	Hon'ble Mr. Justice Tarlok Singh Chauhan, Judge	CR No. 19 of 2020	MC Shimla vs Mathu Ram	<p>Point involved</p> <p>The present petition has been filed by the petitioner against the order of the court below whereby his prayer for deletion of its name from the array of defendants has been rejected.</p> <p>Conclusion-</p> <p>There can be no doubt that the plaintiff is the dominus litus and would certainly have a right to implead anyone against whom he or she has a cause of action or anyone against whom he or she seeks a relief. But the party, who is so impleaded, should satisfy atleast anyone of the two tests, i.e. of being a necessary or atleast a proper party. When the suit was filed, the control of the forests was that of the Forest Department and not the petitioner. Therefore, in the given circumstances plaintiff could not have impleaded the petitioner as a party only because at some stage the forest was vested with it. The petition was allowed.</p>	22.4.2021
27.	Hon'ble Mr. Justice Tarlok Singh Chauhan, Judge and Hon'ble Mr. Justice Chander Bhusan Barowalia, Judge	CWP No. 4375 of 2019 and connected matters	Engineer-in-Chief vs Narender Kumar	<p>Point involved:</p> <p>The respondents applied for the post of Pump Operator and were allowed provisionally to appear in the objective type written screening test. It was made clear under condition No.4 of important instructions for filling up online applications that the candidates must ensure their eligibility in terms of essential qualification etc. to avoid their rejection. The respondents emerged successful in the objective type written/screening test. Thereafter it was found by proforma respondent No.1 that the respondents did not possess the essential qualification as prescribed in the R&P Ruled and rejected their candidature, who approached the erstwhile Tribunal and after obtaining the report of the State Level Board of Equivalence Committee disposed of the petition. Petitioner has filed the present petition against the order of the Tribunal</p> <p>Conclusion:</p>	9.4.2021

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				Essential qualifications for appointment to a post are for the employer to decide. The employer may prescribe additional or desirable qualifications, including any grant of preference. The State Government had not objected to the matter being referred to the Equivalence Committee and rather it was the petitioners themselves, who without any objection had placed the report of the Equivalence Committee before the Tribunal. The petitioners themselves have always considered the qualification possessed by the respondents herein to be one fulfilling eligibility criteria as laid down in the Rules and it is for this reasons that it has over the years appointed a number of persons. The petition was dismissed.	
28.	Hon'ble Mr. Justice Tarlok Singh Chauhan, Judge	CWPOA No. 4275 of 2020	Hem Raj vs State of H.P.	<p>Point involved: The petitioner was engaged as daily waged 'beldar' in the IPH Department in the year 1991 and thereafter completed 240 days of service in each calendar year with effect from 1.1.1992. His services were initially regularized vide order 4.1.2007 and subsequently w.e.f. 1.1.2002. His grievance is that as on the date of consideration of his case, the policy of regularization contemplated completion of 8 years of daily waged service as against the period 10 years , therefore, his services were required to be regularized immediately on completion of 8 years service.</p> <p>Conclusion: Initially a period of 10 years of daily waged service was envisaged and provided for granting work charge status/regularization, however, thereafter the Government itself relaxed the policy and issued a policy for such daily waged workers, who had worked continuously for 9 years. The policy was further liberalized for regularization of services of daily waged workers, who continuously worked for 8 years as on 31.3.1999. The petitioner had completed 240 years of his service in each calendar year with effect from 1.1.1992, therefore, his services in terms of policy prevalent on the date of consideration were required to be regularized from 2000. The petition was allowed.</p>	24.4.2021
29.	Hon'ble Mr. Justice Tarlok Singh Chauhan, Judge and Hon'ble Mr. Justice Chander Bhusan	CWP No. 2663 of 2021	Gitam Ram and another vs State of H.P.	<p>Point involved The case of the petitioner was that once the proceedings under section 138 of the NIA Act are initiated and are already pending against the petitioners, then in no event, could the respondents have registered a case for the same offence, i.e. dishonor of cheque against the petitioners under sections 420, 406 and 120-B of IPC hence prayed for quashing of</p>	28.4.2021

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	Barowalia, Judge			FIR. Conclusion: The mere fact that in addition to the complaint under section 138 of the NIA Act, criminal cases have now been filed against the petitioners, cannot itself be a ground for quashing the FIR as the remedy under section 138 of the NI Act is in addition to the remedy available to a complainant under the provisions of the IPC or for that matter before the Civil Court. The petition is dismissed.	
30.	Hon'ble Mr. Justice Tarlok Singh Chauhan, Judge	CMP No. 8958 of 2019	Beasa Devi vs Shiv Dayal	Point involved: The applicant filed application under section 25 (2) of the Hindu Marriage Act, 1955 for the enhancement of the permanent alimony and seeking further directions/clarifications in terms of the liberty reserved vide judgment dated 19.11.2001. Conclusion: The parties had compromised the case and vide judgment dated 19.11.2001 it was settled between the parties that the respondent agreed to deposit a further sum of Rs. 1,50,000 in additional to Rs. 36,000/- and vide this judgment it was held that the applicant is entitled to interest on this amount of Rs. 186000/-. The respondent is drawing a pension of Rs. 32,000/- per month and now that both the parties are more than 75 years of age, obviously, suffering from various old age ailments for which adequate provisions have to be made in monetary terms. The applicant has no independent source of income and is receiving interest of Rs. 1240/- per month which is accruing on the amount invested in the bank. Therefore, the petition was allowed and respondent is directed to pay a further sum of Rs. 8000/- per month to the applicant.	28.4.2021
31.	Hon'ble Mr. Justice Tarlok Singh Chauhan, Judge	CMPMO No. 105 of 2021	Meena vs Mohit Kumar Gupta and another	Point involved The plaintiff obtained an ex parte ad interim order dated 17.3.2021 in her favour despite a caveat petition having been filed by the respondent on 9.3.2021 prior to passing of such order and the same was vacated by the appellate court. Hence, the present petition. Conclusion: When a caveat is lodged it becomes not only the duty of the court but also of the petitioner and his counsel to bring to the notice of the court that caveat has been lodged and the matter may not be heard ex parte etc. In such circumstances, the first appellate court was absolutely right in setting aside the ex parte ad interim order passed by the trial court on 17.3.2021 then it was also required to ensure that the order so passed was made available to the parties. Construction, if any, raised during	24.4.2021

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				the pendency of the litigation is always a serious matter where everyday day counts and it may be extremely difficult to balance the equities at later stage. The petition was disposed of with directions to the trial court to list the matter forthwith and then proceed to hear the arguments on the application for ad interim relief afresh.	
32.	Hon'ble Mr. Justice Sureshwar Thakur, Judge and Hon'ble Mr. Justice Sandeep Sharma, Judge.	CWP 741/2021	Kikar Singh vs. State of H.P.	<p>Point involved: Precisely the question, which has fallen for adjudication in the case at hand is, "whether a candidate belonging to any of the vertical reservation categories on the basis of his/her merit is entitled to be selected in the open or general category and, in such eventuality, whether his/her selection is to be counted towards the quota granted for vertical category?"</p> <p>Held: That the candidates belonging to any of the vertical reservation categories are entitled to be selected under the open/general category, if such, candidates belonging to reserved category are selected on the basis of their merit, their selection would not be counted against the quota for such vertical reservation categories that they belong.</p> <p>In view of the detailed discussion made in the judgment, this Court is of the firm view that the selection made by respondent No. 3 vide Annexure P-4 is not in conformity with the law laid down by Hon'ble Apex Court on the subject, and deserves to be quashed and set aside. Hence, the petition is allowed. Annexure P4 is quashed and set aside, being contrary to the settled legal position. Respondent No.3 is directed to, within two weeks from today, in conformity with the observations made in the judgment, redraw the selection list of all the categories qua the selection in question, and proceed thereafter, to sponsor the names of the selected candidates to the requisitioning Department.</p>	03.05.2021
33.	Hon'ble Mr. Justice Mohan Ajay Goel, Judge	CWP No. 981 of 2019	Davinder Kumar vs. State of H.P. & Ors.	Duly issued Notification by the Government cannot be refused to be acted upon till its operation is either put in abeyance by way of issuance of another Notification or the same is legally rescinded.	05.04.2021
34.	Hon'ble Mr. Justice Mohan Ajay Goel, Judge	CWPOA No. 94 of 2019	Hem Raj vs. State of H.P. & Anr.	A physically handicapped candidate otherwise eligible for appointment to the post in issue, cannot be held to be ineligible, simply because his name has not been sponsored by the Physically Handicapped Cell. Such a candidate, if he participates in the process even without being sponsored by the Physically Handicapped Cell, has a right of consideration, if he is otherwise eligible.	07.04.2021

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35.	Hon'ble Justice Mohan Judge Mr. Ajay Goel,	CWP No. 931 of 2020	Prem Chand & Ors. vs. State of H.P. & Ors.	Government largesse cannot be distributed in an arbitrary manner and the mode of allotment has to be transparent so as to give equal opportunity to all who are interested and eligible to have the government largesse. One cannot be given priority over others for allotment of shops on the basis of date of filing of the application and the allotment of shops should be done in a fair and transparent manner.	08.04.2021
36.	Hon'ble Justice Mohan Judge Mr. Ajay Goel,	CWPOA No. 443 of 2019	Puran Chand vs. State of H.P. & Ors.	A candidate promoted against a reserved post has to give way to General Category candidate senior to him in the feeder cadre, when said latter candidate is promoted to the promotional post and denying re-gaining of seniority to General Category candidate is illegal and not sustainable in law.	29.04.2021
37.	Hon'ble Justice Mohan Judge Mr. Ajay Goel,	CWPOA No. 3309 of 2019	Vinay Kumar Bharti & Ors. vs. Dr. Y.S. Parmar, University & Ors.	Recommendations of the Board of Management of the University, of which, Secretary (Finance), Government of Himachal Pradesh is an Ex-officio Member, cannot be set at naught by the Government, simply on the ground that the Finance Department has expressed its inability to concur with the proposal, especially when the Finance Department did not express any reservations with regard to the proposal in issue in the meeting of the Board of Management. Finance Department is just one of the Departments of the State Government and it is not <i>per se</i> the State Government. Section 39-A of the Himachal Pradesh Universities of Agriculture, Horticulture and Forestry Act, 1986 confers the onus upon the State Government to take the call as to whether the proposal of the Board of Management has to be accepted or not and, therefore, any decision has to be taken by the State Government by applying its independent mind and it cannot reject the proposal by simply mentioning that the Finance Department is not concurring with the proposal.	29.04.2021
38.	Hon'ble Justice Mohan Judge Mr. Ajay Goel,	CWPOA No. 1184 of 2020	Dr. D.R. Barwal (now deceased) through his Legal Representatives Smt. Usha Barwal & Ors. vs. State of H.P. & Ors.	Denial of benefit of Notification dated 28 th July, 1998 with regard to the grant of Non-Practicing Allowance to retirees like the petitioner, on the ground that the petitioners had superannuated before 01.01.1997 is unjustified in law and is a result of complete mis-reading of said Notification and subsequent Notifications, in view of the fact that the language of Notification itself is self speaking that the petitioners were covered by the liberalized pension scheme and the date of retirement was wholly irrelevant.	04.05.2021
39.	Hon'ble Justice Mr. Ajay	CWP No. 561 of 2020	Narinder Kumar Datta vs. State of	Denial of promotion by ignoring the instructions issued by the Department is	12.05.2021

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	Mohan Goel, Judge		H.P. & Ors.	not sustainable in law. If any relaxation is provided to a particular category of employees by way of instructions by the Department, then the same has to be adhered to and benefit thereof given to the employee.	
40.	Hon'ble Justice Mohan Judge Mr. Ajay Goel,	CWP No. 1638 of 2017	Punjab National Bank & Anr. vs. State of H.P. & Ors.	'Secured Creditors' have preference over the Revenue with regard to the debts due from the dealer, in view of the provisions of Section 26E in the Securitization and Reconstruction of Financial Assets Enforcement of Security Interest Act, 2002 ('SARFAESI Act') and Section 31B in the Recovery of Debts and Bankruptcy Act, 1993 ('RDB Act'), <i>dehors</i> the provisions with <i>non obstante</i> Clauses in the Local Statutes, creating first charge in favour of the Revenue.	19.05.2021
41.	Hon'ble Justice Mohan Judge Mr. Ajay Goel,	RSA No. 282 of 1986	Shri Shanti Swaroop Sardana (since deceased) through his Legal Representatives Smt. Anju Sardana & Ors. vs. Union of India & Anr.	All applications filed under Order 41, Rule 27 of the Code of Civil Procedure have to be dealt with by the Appellate Court and non adjudication of any or either, renders the judgment and decree passed by the said Court as non est.	28.05.2021
42.	Hon'ble Justice Mohan Judge Mr. Ajay Goel,	RSA No. 277 of 1996	M/s Himprastha Financiers (P) Ltd. & Ors. vs. Union of India & Ors.	All applications filed under Order 41, Rule 27 of the Code of Civil Procedure have to be dealt with by the Appellate Court and non adjudication of any or either, renders the judgment and decree passed by the said Court as <i>non est</i> .	28.05.2021
43.	Hon'ble Justice Mohan Judge Mr. Ajay Goel,	CWP No. 492 of 2021	Neelam vs. State of H.P. & Ors.	A post reserved for a sports person in open category cannot be denied to a sports person belonging to a reserve category, if the candidate from reserve category is otherwise eligible to be appointed against the said post on the basis of his/her merit of the sports concerned and is otherwise eligible.	23.06.2021
44.	Hon'ble Justice Mohan Judge Mr. Ajay Goel,	C.R. No. 111 of 2019	Sukh Ram vs. Surtu Devi	Once an order is passed by the learned Executing Court for framing of issues, then the same cannot be unilaterally rescinded by the Court without following the process of law, especially in the absence of challenge to said order by either of the parties.	12.07.2021
45.	Hon'ble Justice Mohan Judge Mr. Ajay Goel,	CWPOA No. 6391 of 2019 a/w CWPOA Nos. 6220 & 7876 of 2019	B.C. Gupta vs. State of H.P. & Ors., Tara Dutt Sharma & Ors., vs. State of H.P. & Ors., & Ashok Kumar Mahajan vs. State of H.P. & Ors.	Cut off date, for grant of pensionary benefits cannot be arbitrarily fixed by the State and the Courts have the power to interfere, wherever the cut off date appears to be discriminatory and arbitrary. The curtailment of pensionary benefits by fixing an arbitrary cut off date, is not sustainable in the eyes of law.	15.07.2021
46.	Hon'ble Mr.	CMPMO No.	Sarwan Kumar @	If on the date fixed for recording	22.07.2021

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	Justice Mohan Judge Ajay Goel,	130 of 2021	Majnu vs. Punjab National Bank & Anr.	evidence of the parties, the Court does not assemble, then subsequently a fresh date necessarily has to be granted by the Court by way of a judicial order and without giving such an opportunity, the right of a party to lead evidence cannot be closed.	
47.	Hon'ble Justice Mohan Judge Mr. Ajay Goel,	CWPOA No. 4075 of 2020	Suresh Kumar vs. State of H.P. & Ors.	Once an incumbent is eligible for regularization in terms of a regularization policy of the government, then he has a right to be regularized against the post in issue as from the date when the vacancy actually becomes available, subject to the condition that if the vacancy is available before coming into force the policy of regularization, then of course, the right of regularization will be prospective but not before the date of coming into force the policy of regularization.	27.07.2021
48.	Hon'ble Justice Mohan Judge Mr. Ajay Goel,	CWP No. 3471 of 2021	Sumit Kumar vs. The State of Himachal Pradesh & Ors.	An employee, who fails to comply with Rule 4 (1) of the Himachal Pradesh Civil Services Contributory Pension Rules, 2006, which Rule is mandatory in nature, cannot make a grievance of his salary being stopped by the employer.	28.07.2021
49.	Hon'ble Justice Mohan Judge Mr. Ajay Goel,	Cr. Appeal No. 200 of 2021	Shri Ram Transport Finance Company vs. Mukund Lal	Lok Adalat does not has the power to proceed under Section 256 of the Code of Criminal Procedure, in the absence of appearance of the complainant before it nor it can order acquittal of the accused in the event of the complainant not being present before it. The only course available with Lok Adalat is to return the case back to the Court from where it was sent to Lok Adalat.	02.08.2021
50.	Hon'ble Justice Mohan Judge Mr. Ajay Goel,	CWP No. 1923 of 2013 a/w CWP No. 5404 of 2013	Dr. Devender Nath Kashyap vs. Union of India & Ors. & Shri Kailash Chand Sharma vs. Union of India & Ors.	Recommendations of the University Grants Commission are not mandatorily to be accepted by the State and said recommendations, till expressly adopted by the State by incorporating necessary amendments, either in the Statutes or Ordinances of the University or Recruitment and Promotion Rules of the Colleges, are not enforceable.	10.08.2021
51.	Hon'ble Justice Mohan Judge Mr. Ajay Goel,	CMPMO No. 263 of 2020	Ashwani Kumar Mahajan vs. Rajiv Mahajan	The provisions of Order 8, Rule 1-A(3) of the Code of Civil Procedure are not to condone the acts of omissions of the defendant nor the intent of the said provision is to allow the defendant to fill up lacunae in the case. The powers conferred upon the Court under the said provision are to be exercised diligently where the Court is satisfied that despite due diligence, the documents could not be placed on record by the defendant and the same is otherwise necessary for deciding the lis between the parties.	11.08.2021

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52.	Hon'ble Justice Mohan Judge Mr. Ajay Goel,	CMPMO No. 313 of 2020	Naminder Singh vs. Atma Singh	Trial Court cannot dismiss a suit on account of non-payment of costs imposed upon a party in a proceeding by the High Court, unless the cost is imposed with an express direction that in the event of non-payment of the same, the proceedings before the learned Trial Court shall not proceed further.	11.08.2021
53.	Hon'ble Justice Mohan Judge Mr. Ajay Goel,	CWPOA No. 2931 of 2019	Ganga Singh vs. State of H.P. through Secretary Education to the Government of H.P. & Ors.	Denial of promotion to an incumbent on the ground that the option exercised by him was not received by the department is not sustainable in the eyes of law as once an incumbent has exercised his option well within the time frame and forwarded it through proper channel, then onus is upon the department to ensure that the option reaches through proper channel expeditiously and for any omission in this regard of the department, the employee cannot be made to suffer.	16.08.2021
54.	Hon'ble Justice Mohan Judge Mr. Ajay Goel,	RSA No. 416 of 2018	Gagan Kumar vs. Shiri Ram Transport Finance Company Ltd. & Anr.	Once a Judicial Authority, in terms of the provisions of Section 8 of the Arbitration and Conciliation Act, refers the parties to arbitration, then the aggrieved party does not has a right to file an appeal against said order but it has to raise the objection of issue not being the subject matter of the arbitration before the Arbitrator.	26.08.2021
55.	Hon'ble Justice Mohan Judge Mr. Ajay Goel,	CWPOA No. 02 of 2021	Daulat Ram & Anr. vs. The State of H.P. through The Pricpal Secretary (Panchayati Raj & Rural Development) & Anr.	Onus is not upon the daily wager to approach the Department for conferment of work charge status upon completing requisite years as per Policy and it is for the Department to keep a track of all such daily wagers and confer upon them the status of work charge once they complete the requisite number of years in terms of the Policy of the State Government in vogue.	14.09.2021
56.	Hon'ble Justice Mohan Judge Mr. Ajay Goel,	CRMMO No. 266 of 2021	Babita & Anr. vs. Arsh Vardhan Singh & Ors.	Order passed by a Magistrate, under Section 12 of the Protection of Women from Domestic Violence Act, 2005, on a complaint dismissing the same without adjudication on merit cannot be assailed directly in the High Court under Section 482 of the Code of Criminal Procedure as the same has to be assailed by invoking the statutory remedy of appeal envisaged under Section 29 of the Act.	14.09.2021
57.	Hon'ble Justice Mohan Judge Mr. Ajay Goel,	CWP No. 230 of 2021	Manish Sharma & Ors. vs. State of H.P. & Ors.	The issue pertaining to termination of services of a workman by a private respondent has to be determined under the provisions of the Industrial Disputes Act and not under Article 226 of the Constitution of India. Relief prayed for, has to be correlated with the cause of action.	27.09.2021
58.	Hon'ble Justice Mohan Judge Mr. Ajay Goel,	CWP No. 3146 of 2021	Umadutt Sharma & Ors. vs. State of H.P. through Secretary	A.A Multi Member Committee has to act in a unison, so that its decisions are result of collective wisdom. The task cannot be	27.10.2021

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	Judge		(Home) to the Government of H.P. & Ors.	bifurcated <i>intra</i> members to the exclusion of others, as the same shall result in exercise of absolute power by one individual, who otherwise is a part of Multi Member Committee. B. The person, who participates in an irregular or illegal selection process, has to assail the said process, if not at the time of participating in the same, then immediately thereafter. In the event of a candidate assailing it only after the declaration of result, on finding himself unsuccessful, then the Court shall not come to the rescue of such person, as it will be assumed that he acquiesced to the process.	
59.	Hon'ble Justice Mohan Judge Mr. Ajay Goel,	FAO No. 221 of 2021	Freedom Home Welfare Society vs. Chief Executive Officer Mental Health Authority H.P. State Shimla-5	Before cancelling the registration of a Mental Health Establishment, the procedure prescribed in Section 68 of The Mental Healthcare Act, 2017 has to be mandatorily followed. In the event of non-compliance thereof, the order of cancellation will be nullity.	29.10.2021
60.	Hon'ble Justice Mohan Judge Mr. Ajay Goel,	Arb. Case No. 21 of 2020	Himachal Pradesh State Electricity Board Ltd. vs. M/S Relemac Technologies Pvt. Ltd. & anr.	An arbitration award resulting from Reference of dispute to Haryana Micro Small and Medium Enterprises Facilitation Council and otherwise passed by a learned Arbitrator in the State of Haryana cannot be challenged under Section 34 of the Arbitration & Conciliation Act, 1996, in the State of Himachal Pradesh when the arbitration proceedings were conducted in the State of Haryana.	11.11.2021
61.	Hon'ble Justice Mohan Judge Mr. Ajay Goel,	CWP No. 1673 of 2020	Disha Kumari vs. The State of H.P. & ors.	A show cause notice not accompanied by annexures or documents substantiating the allegations contained therein cannot be made a tool to pass adverse order against an employee. A warning issued to an employee on the basis of show cause notice alongwith which neither any document nor any material was appended, substantiating the allegations made therein, could not have been made the base for issuing a warning to the employee and warning passed on such show cause is liable to be quashed and set aside.	16.11.2021
62.	Hon'ble Justice Mohan Judge Mr. Ajay Goel,	Cr.MMO No. 486 of 2021	Sodhi Ram vs. State of H.P.	An order passed under Section 53 of the Indian forest Act is appealable and in the event of the appeal being filed against such an order, the Appellate Court has to adjudicate upon the same. Rejection of the appeal in the present case by misconstruing the appeal to be an application filed under Section 53 of the Indian Forest Act is thus not sustainable in	18.11.2021

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				the eyes of law.	
63.	Hon'ble Mr. Justice Mohan Goel, Judge	Cr. Revision No. 410 of 2019	Renu Chauhan vs. State of H.P. & anr	A quasi judicial authority while deciding the rights of the parties has to pass a speaking order by taking into consideration the respective contentions of the parties and thereafter assigning reasons for its conclusions. This is the mandate of judge made law and any order which violates this mandate is not sustainable in law.	22.11.2021
64.	Hon'ble Mr. Justice Mohan Goel, Judge	CWP No. 5417 of 2014	Mohinder Nath vs. Indian Oil Corporation Ltd. & ors.	Issues between the parties pending adjudication before Arbitrator cannot be permitted to be raised by way of a writ petition under Article 226 of the Constitution of India in the garb of certain reliefs purportedly claimed against "State or other authority" more so when the petition involves seriously disputed questions of fact.	29.11.2021
65.	Hon'ble Mr. Justice Mohan Goel, Judge	CWP No. 3023 of 2020	Ritu vs. State of H.P & ors.	The candidature of the petitioner for consideration against the post of Sub-Inspector under the OBC/BPL category could not have been rejected on the ground that as on the date when she appeared for the interview, she already stood employed as a lady constable, because admittedly as on the last date for apply for the post on which eligibility was to be considered, the petitioner was belonging to OBC/BPL category and was possessing a valid certificate issued in her favour by the competent authority.	29.11.2021
66.	Hon'ble Mr. Justice Mohan Goel, Judge	CWP No. 4529 of 2020	Dilvaru Devi & anr. vs. State of H.P. & ors.	A.Degree of AMICE obtained by the private respondents being a duly recognized qualification by the Government of India, no illegality was committed by the Department by treating private respondents as eligible on the strength of the said qualification for promotion to the post of Assistant Engineer (Civil). B.Whether an employee is possessing requisite qualification for the purpose of promotion is primarily for the Department to assess and eligibility also has to be considered by the Department.	29.11.2021
67.	Hon'ble Mr. Justice Mohan Goel, Judge	Cr.MMO No. 677 of 2021	Rajni vs. State of H.P. & anr.	A lady belonging to General category in the event of her marriage to a Scheduled Caste person cannot get the protection as is envisaged for Scheduled Castes and Scheduled Tribe under the provisions of Scheduled Castes and Scheduled Tribe (Prevention of Atrocities) Act, 1989, as the protection under the Act is determined by birth and not by marriage.	21.12.2021
68.	Hon'ble Mr. Justice Sandeep Sharma,	CWPOA 4446 of 2019	Ranbir Singh vs. State	Point involved: Whether on Recruting Agency has recommended the name of a candidate for the post of TGT, Appointing Authority can deny	10.08.2021

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	Judge.			appointment on the ground of non-production of Bonafide Himachali Certificate? Held: That oncethe Recruiting Agency has recommended name of the candidate for a particular post, Appointing Department cannot reject candidature of selected candidate on any ground. Since condition of Bonafide Himachali was neither incorporated in the advertisement nor existed in the R&P Rules, as such, Appointing Department cannot deny appointment to the selected candidate.	
69.	Hon'ble Mr. Justice Sandeep Sharma, Judge.	CWPOA No.5937 of 2019	Sh.Vijay Kumar vs. State of H.P. through its Secretary (Finance), & Connected matter	Point involved: The question involved in this petition is whether a person who is appointed prior to 15.05.2003 from which date CCS (Pension) Rules were not applicable, can be denied the benefit of Pension/GPF on the ground that he joined after 15.05.2003? Held: Since the respondents themselves granted 20 days time to join the service, petitioner is entitled to pensionary benefits alongwith pension, if otherwise eligible. Principal mandate of the Rule is that seniority is determined on the basis of date of appointment.	23.11.2021
70.	Hon'ble Mr. Justice Sandeep Sharma, Judge.	Cr.A 307 of 2014	State vs. Anirudh Kumar	Point involved: Whether mere possession and recovery of currency notes from the accused without proof of demand will bring home offence under Section 7 of the Prevention of Corruption Act Held: That demand illegal gratification is a sine qua non to constitute the offence under Section 7 of the Act, as such, offence under Section 13(1)(d) cannot be established in the absence of proof of demand for illegal gratification.	02.12.2021
71.	Hon'ble Mr. Justice Sandeep Sharma, Judge.	Cr.M.M.O. No.31 of 2019	Rameshwari Sharma vs. State	Point involved: Whether Court can recall/summon any person as a witness at any stage of inquiry/trial or proceedings under Cr.P.C. Held : That Section 311 Cr.P.C. casts a duty upon Court to examine/re-examine or recall or summon a witness at any stage if his evidence appears to be essential for just decision of case so as to ensure that there is no failure of justice on account of mistake on the part of either of parties in bringing valuable piece of evidence or leaving an ambiguity in statements of witnesses examined from either side.	20.12.2021
72.	Hon'ble Mr. Justice Sandeep Sharma, Judge.	Cr.Revision No.240 of 2021	Satpal Chauhan vs. Surender Mohan	Point involved: The question involved in this case is whether a Criminal Appeal against conviction can be dismissed in default? Held:	23.12.2021

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				That the Appellate Court must peruse the record before disposing of the appeal. The appeal has to be disposed of on merits even if it is being disposed of in the absence of the appellant or his pleader.	
73.	Hon'ble Mr. Justice Sandeep Sharma, Judge.	Cr.M.M.O. No.700 of 2021	Mahender Kumar Pathak vs. Ramanjit Chadha	Point involved: Whether Section 143-A of the Negotiable Instrument Act is prospective in operation? Held: That interim compensation in terms of Section 143-A can only be granted in the cases which came to be instituted after introduction of Section 143.	18.12.2021
74.	Hon'ble Mr. Justice Sandeep Sharma, Judge.	Cr.M.M.O. No.700 of 2021	Mahender Kumar Pathak vs. Ramanjit Chadha	Point involved: Whether Section 143-A of the Negotiable Instrument Act is prospective in operation? Held: That interim compensation in terms of Section 143-A can only be granted in the cases which came to be instituted after introduction of Section 143.	18.12.2021
75.	Hon'ble Mr. Justice Chandar Bhusan Barowalia, Judge	Cr.MP(M) No. 747 of 2021	Aman Verma vs. State of H.P.	Petition under Section 439 of the Code of Criminal Procedure. The petitioner sought his release, in an FIR registered under Section 29, 29-61-85 of the ND&PS Act. Held: Cardinal and jurisprudential principle of criminal justice is that each offence has its own severable identity, so, earlier, even if, some/many offences of same nature are committed by an accused, the offence, which is under consideration, cannot be seen with the spectacles of other offences committed/alleged against the accused. Though, the general derivable presumption from the other offences, committed/alleged against an accused, is only that he/she is a habitual offender and that presumption is subtle and only persuasive in nature in adjudicating accused's offence, which is under consideration of the Court. Certainly, the Courts should not at all ignore such a subtle and persuasive presumption, however, as held above, each offence has its own severable identity, so the Courts should avoid predilection in adjudicating the offence under consideration.	09.07.2021
76.	Hon'ble Mr. Justice Chandar Bhusan Barowalia, Judge	Criminal Revision No. 402 of 2018	Suresh Kumar vs. Neeraj Chauhan	Criminal Revision Petition under Section 397 Cr.P.C. Held: 1. Interference of the High Court in criminal revisions is limited and it is called for only in exceptional cases of gross miscarriage of justice, manifest illegality or perversity and not merely because another view was possible. 2. The presumption under Section 139 of the NI Act is a presumption of law and distinguishable from that of presumption of	12.08.2021

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				facts. This presumption is rebuttable presumption and the accused has to prove the contrary in order to rebut the presumption, as provided in favour of the holder of the cheque under Section 139 of the NI Act. True it is that the presumption, as provided under Section 139 of the NI Act, is rebuttable presumption, and to rebut such a presumption the accused can have valuable aid by leading evidence.	
77.	Hon'ble Justice Chander Bhusan Barowalia, Judge	Mr. CMP No. 9689 of 2020 in Civil Original Petition Contempt No. 256 of 2018	Ram Swroop vs. Arun Kumar and others.	Application moved by the State in an already disposed of matter. Held: Be it State/its instrumentalities or anyone, no one is above law and must be treated equally. However, the State or its instrumentalities are expected, rather duty bound, to act in accordance with law and respect the judicial orders and wherever the State or its instrumentalities deviates from such duties and in turn try to degrade the sanctity of judicial orders, by resorting to delaying tactics or acts, which are deliberately designed to deceive or defy the judicial orders, such tactics cannot act as shield in the Courts of law and such a practice is highly deplorable.	01.09.2021
78.	Hon'ble Justice Chander Bhusan Barowalia, Judge	Mr. Cr.MP(M) No. 2 of 2015	M/s Pepsi Company India Holdings Pvt. Limited vs. State of H.P. & others.	Petition under Section 482 of Cr.P.C. Held: 1. In criminal matters inquiry is different from the term trial. However, expression "trial" is neither defined in Cr.P.C. nor in the Act. Thus, by defining the expression "inquiry" in Cr.P.C., it is discernible that it is defined to distinguish it from "trial". This Court is of the view that the term "trial" cannot be given uniform meaning in all criminal cases, as its undertones change according to a particular provision of a particular statute. Indeed, inquiry is different from trial, inquiry is wider than trial and inquiry stops when trial begins. Thus, inquiry and trial are two separate stages in criminal cases. 2. The documentary evidence is relevant or admissible only if the document is proved in a manner provided under the evidence Act and it is only when the document is produced according to law, then only it can be termed as 'evidence'.	01.09.2021
79.	Hon'ble Justice Chander Bhusan Barowalia, Judge	Mr. FAO No. 277 of 2010	Smt. Geeta Devi & others vs. Smt. Sant Kali Saini & another.	FAO against the award passed by the Learned Commissioner under the Workmen's Compensation Act. Held: 1. Right to file an appeal is a statutory right and such a right is provided both to the management as also to the workman equally. 2. The Court relying upon the judgment of Hon'ble Supreme Court, rendered in Mukund Dewangan vs. Oriental Insurance Company	15.09.2021

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				<i>Limited, AIR 2017 Supreme Court 3668</i> , wherein it is held that a driver, holding light motor vehicle licence, can drive all vehicles of class, including the transport vehicles and no separate endorsement required to drive such transport vehicles, directed the Ld. Commissioner decide the case afresh.	
80.	Hon'ble Justice Chander Bhusan Barowalia, Judge	Mr. RSA No. 508 of 2008	Sh. Tulsi Ram (deceased), through Lrs vs. Sh. Chamaru Ram (deceased), through Lrs.	RSA against the judgment of the learned Lower Appellate Court. Held: 1. The general rule is that the High Court should not interfere with the concurrent findings of the learned Courts below, but this rule is not absolute.	10.09.2021
81.	Hon'ble Justice Chander Bhusan Barowalia, Judge	Mr. CR No. 46 of 2021	M/S Super Trading Company vs. Sh. Pawan Kumar.	Petition under Section 115 CPC. Held: 1. An Advocate acts as an agent of the party and after tendering of a signed power of attorney by the party concerned, the Advocate obtains right to file and maintain application, appeal, reply etc. in the competent Court of law on behalf of the party concerned, so, the Court found that when the case was dismissed in default due to the busyness of the learned counsel for the petitioner, then the counsel representing the petitioner had every right to move an application for restoration of the case and in such circumstances the application was required to be allowed. 2. A party, having done everything in his/her power, should not suffer because of the default(s) of his/her counsel and it is not proper that the party should be made to suffer for the inaction, deliberate omission or misdemeanor of his/her counsel.	01.10.2021
82.	Hon'ble Justice Chander Bhusan Barowalia, Judge	Mr. Cr.MP(M)No. 2117 of 2021	Deepak Sharma vs. State of H.P.	Petition under Section 439 Cr.P.C. seeking bail for the offences under Sections 498A and 306 IPC read with Section 34 IPC. Held: There can never be a straight-jacket formula or fixed pre-drawn line of law for granting or refusing bail. Each and every petition, seeking bail, has to be seen with the magnifying lenses of facts and circumstances of that particular case. The vital aspects in granting or refusing bail can be the possibility of accused's fleeing, in case the bail is granted, the possibility of the accused's tampering with the prosecution evidence, the gravity and seriousness of the offence, the manner in which the same is alleged to have been committed etc. etc. and there may be innumerable other aspects/reasons for granting or refusing bail. Thus, no straight-lined formula can be adhered to in granting or refusing bail and each case has to be tested with the valuable aid of its own facts and circumstances, vis-à-vis, some other	23.11.2021

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				important aspects and law.	
83.	Hon'ble Mr. Justice Narayana Swamy, Chief Justice & Hon'ble Mr. Justice Anoop Chitkara, Judge	LPA 78 of 2020	Amit Singla v. State of H.P., 2021 SCC OnLine HP 4662	Aggrieved by the refusal of learned Single Judge to quash the evaluation proceedings and the tender process by which the tender allotted to the respondent no. 9; the petitioner has come up before this Court. [21]. Once the bid document required a contractor to show that he was in physical possession of a particular kind of machinery in working order, he cannot explain that he would procure the same in the future. The essence of civil construction is the time limit within which the construction must be completed. The violation of the time limit leads to the escalation of price and throwing out of gear the schedules of so many other units and things, which depend upon the project's timely completion.	24.04.2021
84.	Hon'ble Mr. Justice Narayana Swamy, Chief Justice & Anoop Chitkara, Judge	LPA 3 of 2020	Tilak Raj v. State of H.P., 2021 SCC OnLine HP 4494	[1]. Challenging the acceptance of the applications by Ld. Single Bench of this Court condoning the delay by extending the time in filing Objections under Section 34 of the Arbitration and Conciliation Act, 1996, and also the delay in refiling the same after removal of the objections, the claimant came up before this Court. [37]. Since S. 34 of the Arbitration Act is silent about the requirement of a signed copy at the time of the award's challenge, the filing would be governed under the procedures mentioned in the Rules of the concerned Court. The words used in S. 34 are 'a signed copy' to parties. It talks about just a single set of the document. It appears to be for the record and to prepare subsequent copies. In the absence of specific rules that ask for the filing of the signed copy received by the party, it cannot be assumed that the signed copy is required to be filed. [38]. The above survey establishes that while filing an objection petition under section 34 of the Arbitration and Conciliation Act, 1996, neither the Arbitration Act nor the High Court of Himachal Pradesh (Arbitration and Conciliation), Rules 2002, or the High Court of Himachal Pradesh (Appellate Side) Rules, 1997, provide for filing of the signed copy or the certified copy of the award under challenge. [39]. An Arbitrator cannot give the copy of the award under the caption certified copy. He has no authorization to do so under the Indian Evidence Act or any other law or Rules. Furthermore, the arbitrators do not have the paraphernalia of the copying agencies to keep on supplying the copies to the parties as per their demands. To	30.04.2021

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				reduce the Arbitrator to the extent of copying agency would be letting them down and amount to undermine the majesty of such arbitral assignment. Thus, the legislator being aware of such constraints with the Arbitrator, only asked the Arbitrator to supply the signed copy to the parties. The words used are not any number of signed copies, it is in the singular. It implies that Arbitrator would supply just one copy. In rare cases when such copy is lost or destroyed, it is undoubtedly within the Arbitrator's discretion to hand over another signed copy. It is comparable to a Matriculation certificate or an Educational degree. When a person is supposed to hand over a copy of a matriculation certificate or a degree, then a person is not supposed to annex the original document, but its photocopy or printout of the scanned copy. The rationale is that the original copy is given for the record of the parties. In the changing world, subject to the confidentiality clauses, the certificates are being digitalized. Appeal is dismissed.	
85.	Hon'ble Mr. Justice Anoop Chitkara, Judge	Cr. MP(M) 656 of 2021	Suresh Kumar v. State of H.P., 2021 SCC OnLine HP 4434	[1]. The petitioner, aged 26 years, in custody since 18-12-2020, for letting the victim aged 17 years, who was his friend, take the lift in his Jeep, and after that, instead of allowing her to alight, bringing the vehicle to an isolated place and then after intimidation and establishing coitus, despite her protests, has come up before this Court seeking regular bail. [6]. The victim had left her home at 10 in the morning to visit a Doctor. On reaching home, she narrated the unfortunate incident to her mother. The incident occurred in the daytime and not in the odd hours, and the victim arrived home in time. There is no mention of the victim reaching home late or anyone enquiring her about being seen with a boy. Had she consented to the coitus, then there was no reason for her to reveal it to her mother. Since she had gone to visit the doctor, she could have easily made up excuses to come home late from the doctor's clinic, e.g., the doctor was not available, there were many patients, or that she could not find a bus, etc. The question involved here is what prompted the girl to inform about the incident to her mother. It is not the case that she reached home late in the night or that her parents questioned her or started a search looking for her. She would have kept it discreet because, as per her version, no one had noticed them. If the sexual act was with her will, she would not have told	05.05.2021

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				<p>anyone about the same and tried to conceal the same. The victim voluntarily narrated the incident to her mother, prima facie points towards the genuineness of the incident. It would be correct to say that it was courageous for the victim girl to talk about the unfortunate incident to her mother and later come forward and report the same with the police.</p> <p>[7]. Furthermore, the scientific evidence points towards the presence of blood and semen on the victim's underwear. It also states that no physical injuries were found on her body. As stated by the victim in her Section 164 CrPC statement that she had said NO for sex to the accused, and the accused told her not to cry; otherwise, he would force himself upon her. In such circumstances of threat and coercion in a secluded area, the victim was forced to cooperate with the accused, which explains the absence of physical injuries on her body, and the presence of semen, indicating unprotected sex.</p> <p>[8]. Neither the absence of resistance nor the unwilling submission implies consent in any language. She explicitly said no to the accused, but he did not stop. When the curriculum does not include the proper sex education, the children raised by such societies fail the women time and again. NO MEANS NO- The simplest of sentences have become the most difficult for some men to understand. No does not mean yes, it does not mean that the girl is shy, it does not mean that the girl is asking a man to convince her, it does not mean that he has to keep pursuing her. The word NO doesn't need any further explanation or justification. It ends there, and the man has to stop. Be that as it may, the victim, in this case, said no to the accused when he started touching her, but he continued. It nowhere implies consent, or zeal and desire to explore and feel each other in romantic love.</p> <p>Petition dismissed.</p>	
86.	Hon'ble Mr. Justice Anoop Chitkara, Judge	CrMP(M) 527 of 2021	Arun Thakur v. State of H.P., 2021 SCC OnLine HP 4707	<p>The petitioners, incarcerated upon their arrest for alluring and raping a minor girl, have come up before this Court seeking regular bail.</p> <p>[12]. Those who by deceit introduce adolescents or women into the flesh trade, the pimps bringing customers to seduce, and the customers who, despite realizing lack of will and consent from the victims' body language, gestures, trauma, and fear, continue to satisfy their lust, are perverts, threats to society, and do not deserve any</p>	15.06.2021

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				bail. Petition dismissed.	
87.	Hon'ble Mr. Justice Anoop Chitkara, Judge	CrMP(M) 991 of 2021	Ved Prakash v. State of H.P., 2021 SCC OnLine HP 4704	<p>An unmarried boy, aged 24 years, incarcerating along with his two friends, upon their arrest on the allegations that he, with their help, kidnapped and carried the victim aged 24 years, to his home, where during the night he raped her, have come up before this Court seeking regular bail because Ved Prakash were classmates; she had visited his home on her own accord because she was upset with her engagement with another person, and being upset with her visit, her family members influenced her to lodge a false complaint to break their relationship.</p> <p>[8]. The explicit stand of the accused Ved Prakash is that he and the victim were classmates and were in contact. The victim was unhappy with her engagement fixed by her family. On this, she, on her own, visited his home, for which she even walked for two kilometres. Ved Prakash lives in a joint family of fifteen members, but she did not complain to anyone. Given her age being twenty-four years, her conduct reflected her ability, her physical and mental capacity to understand and make her own decision.</p> <p>[10]. Initially, on 9th May 2021, the victim informed the Police about her being kidnapped and taken to the house of the accused, where Ved Prakash committed coitus with her, against her will and consent. However, on 12th May 2021, when the Judicial Magistrate Thunag, District Mandi, HP, recorded the victim's statement under section 164 CrPC, she stated that she was related to Ved Prakash and had gone to his house as a guest, about which her family members were unaware. She explicitly stated that she did not want to lodge any complaint against them and had nothing else to say. The stand of the accused Ved Prakash that he and the victim were classmates and quite close, and being unsatisfied with her engagement, she had visited Ved Prakash's home on her own accord. Needless to say that the statement recorded under section 164 CrPC stands on a much superior pedestal in comparison to the information which formed the basis for 154 CrPC. In the light of the victim's statement under section 164 CrPC, wherein she corroborated the stand of the accused, there is absolutely no justification to deny bail.</p> <p>[11]. The role of other co-accused Pawan Kumar @ Raju and Duresh Kumar are that they had helped the victim in bringing her in their vehicle to the home of main accused Ved</p>	15.06.2021

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				Prakash. Since this Court is granting bail to the main accused Ved Prakash for the reasons mentioned herein above, as such there is no justification to deny the bail of other co-accused. Petition allowed.	
88.	Hon'ble Mr. Justice Anoop Chitkara, Judge	CrMP(M) 1015 of 2021	Sunil Kumar v. State of H.P., 2021 SCC OnLine HP 4702	A habitual offender, who is again in prison for holding hostage the pump operator, and after locking him, stealing the water pumps, and subsequently selling the metal, has come up before this Court under Section 439 of CrPC, seeking bail. [8]. As per the status report, the petitioner disrupted the water supply and took away the water pumps. This would have disrupted the water supply for a number of days till the installation of the replacements, which is a time-consuming process. For petty gains, the petitioner deprived a large number of people, their livestock, agriculture from the most basic source of sustenance, i.e., water, the toolbox of our society. Petition dismissed.	15.6.2021
89.	Hon'ble Mr. Justice Anoop Chitkara, Judge	Cr.A 158 of 2010	State of HP v. Bhavishan	Challenging the acquittal for causing hurt on a public way and driving in a rash and negligent way, the State came up before this Court. [11]. Mangal Dass (PW-1), who had informed the police about the accident which led to the registration of FIR, was a spot witness. He admitted in his cross-examination that construction work was going on, and on the side of the road, a lot of grit (bajri) was lying. [12]. It is common knowledge that whenever sand, gravel, bajri, and other loose material are stacked on the roadside, they increase the radius and usually even enter the road due to traffic or walking. It would be challenging for a vehicle to acquire friction on the surface strewn with gravel to stop the stone blast or sand. The possibility of a vehicle rolling over the gravel and hitting a person cannot be ruled out. Thus, to say that the driver whose vehicle either skidded or did not stop due to lack of friction was negligent in driving is stretching too far. Dismissed.	16.07.2021
90.	Hon'ble Mr. Justice Anoop Chitkara, Judge	CrMP(M) 243 of 2021	Monika v. State of H.P.	A pregnant woman, apprehending her arrest on the allegations of conspiring with her husband in substance trade, from whose house the Police had recovered 259 grams of diacetylmorphine (heroin) and 713 grams of tablets containing tramadol, the quantities of both drugs falling in the commercial category, attracting the rigors of S. 37 of NDPS Act, came up before this Court under Section 438 CrPC, seeking anticipatory bail. Ld. Counsel for	24.07.2021

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				<p>the petitioner contended that from August 2020, the petitioner along with her two minor children was staying at her paternal home at Phillaur, in Punjab, because her husband had married another girl. Ld. Additional Advocate General opposed the bail and contended that the accused has yet not discharged the presumption under S. 35 of the NDPS Act. Further, the quantity involved is commercial, and restrictions of S. 37 of the NDPS Act do not entitle the accused to bail. The arguments on behalf of the State are that the Police have collected sufficient evidence of a conspiracy between the bail petitioner and her husband, Dharminder, a trader of illicit drugs, which prima facie points out towards her involvement. Vide order dated 23.02.2021, this Court granted interim bail to the petitioner, which is continuing till date. In the meantime, the petitioner has filed a medical record about her pregnancy. On the date of the order, the petitioner was pregnant for seven months, and had some medical complications. The State did not refute the contentions.</p> <p>[32]. Taking birth in jail could possibly be such a trauma to the child that social hatred might follow, potentially creating an everlasting impact on the mind whenever questioned about birth. It is high time to take a contrarian call to the maxim <i>Partus sequitur ventrem</i>.</p> <p>[33]. Good and nutritious food in prisons may give good physical health but cannot substitute good mental health. Restrains and confined spaces might cause mental stress to a pregnant woman. Giving birth in jail might cause her tremendous trauma. What difference will it make to the State and society by not postponing incarceration? What is so urgent to execute the sentence? Heavens will not fall if incarceration is postponed. There should be no restraints throughout pregnancy, no restraints during labor and delivery, and no restraints at least for a year after giving birth. Every expecting female deserves dignity during motherhood.</p> <p>[34]. Pregnant women need bail, not jail! Courts must restore the due and sacrosanct freedom of women in motherhood <i>pro tanto</i>. Even when the offenses are highly grave and accusations very severe, they still deserve temporary bail or suspension of sentence, extending to a year after delivery. Further, those who stand convicted and their appeals closed also deserve similar relief, in whatever camouflage it may come.</p>	

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91.	Hon'ble Mr. Justice Anoop Chitkara, Judge	Cr.A 630 of 2017	Agya Chand v. State of HP	<p>Challenging the conviction and sentence for possessing 765.4 grams of Charas, the convict came up before this Court.</p> <p>[16]. The issue before this Court is that when there are villages in the vicinity, then whether non-association of witnesses from such villages creates a dent in the prosecution story or not? The occurrence was in the Kullu District of Himachal Pradesh at the end of December, a cold zone. The Investigator specifically stated that the main road leads from Aut to Jalori, but due to snow in Jalori Jot, the movement of vehicles had stopped. In the winter, the Sun sets very early, and in December, around half-past five. During winters, people sleep a bit early. People living in remote villages tend to remain inside their houses during cold winters and would be very reluctant to come out.</p> <p>[21]. The maximum sentence for possessing an intermediate quantity of drugs and substances prohibited under the NDPS Act can extend up to ten years of imprisonment. Vide the provisions contained in S. 31, 31-A, and 32 of the NDPS Act, the legislature has already placed special provisions for enhanced or higher sentences. While prescribing the upper limit of ten years, the legislature also considered those involved in various crimes other than the NDPS Act. Thus, the uppermost limit would be when no other mitigating circumstances are available to impose a lesser sentence.</p> <p>Impugned judgment modified and sentence reduced.</p>	16.08.2021
92.	Hon'ble Mr. Justice Anoop Chitkara, Judge	Cr.A 6 of 2010	Onkar Krishan v. State of HP	<p>[1]. Challenging the conviction and sentence for abetting the suicide of their <i>vadhu</i>, and also meeting cruelty at her, the husband, father-in-law, and mother-in-law came up before this Court by filing this criminal appeal.</p> <p>[30]. Given above, despite the reluctance of their daughter, her parents either to save their false social honor, or unable to sustain and keep her along with her toddler, or may be financial and space constraints did not heed to her requests, and persuaded her to return to her husband's place, where, within a week, she committed suicide.</p> <p>[50]. In the facts and circumstances peculiar to this case, the prosecution failed to discharge the primary burden that the accused had instigated or abetted her suicide. The allegations are non-specific and general, without any proximity to the time of her consuming poison. Thus, the accused are entitled to the benefit of doubts. Appeal allowed.</p>	23.08.2021

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93.	Hon'ble Mr. Justice Anoop Chitkara, Judge	CrMMO 52 of 2020	Urmila Devi v. State of HP	<p>[1]. Challenging the judgment passed by CJM under section 67 of the Himachal Pradesh Panchayati Raj Act, 1994, whereby the learned Court after setting aside the order of Gram Panchayat remanded the matter to the Gram Panchayat for trial, the victim came up before this Court under section 482 CrPC.</p> <p>[8]. Per Rule 51 of The Himachal Pradesh Panchayati Raj (General) Rules, 1997, it is mandatory for every Gram Panchayat undertaking proceedings in a criminal trial to proceed by taking the following steps: (1)</p> <p>First: Explain to the accused the charge or charges made against them;</p> <p>Second: If the accused make(s) clear and voluntary confession of the crime, they may be convicted without recording any evidence; otherwise;</p> <p>Third: Record prosecution evidence, but before examining any person, except an accused, a Gram Panchayat shall administer him the following oath or affirmation: - <i>"I shall state the truth and nothing but truth so help me God."</i></p> <p>OR</p> <p><i>"I solemnly affirm that I shall state the truth and nothing but the truth."</i></p> <p>Fourth: Examine the accused (Without Oath and without any duress, undue influence, pressure, or force);</p> <p>Fifth: Examine the defence brought by the accused (If any);</p> <p>Sixth: Type and print/Write the order, put signatures, and thereafter pronounce it.</p> <p>(2) Each party shall be allowed to cross examine another party and their witnesses just after their examination-in-Chief but the Gram Panchayat may, either of its own motion or on the request of any party, examine any person at any stage of the proceedings before passing final orders and in such case party shall be entitled to put question to the person so examined.</p> <p>[12]. Paramount considerations are whether the gravity of the defect mistake in the procedure is substantial and vital? The answer will depend mainly on the facts and circumstances of each case, which will have to be carefully considered to decide that which was prima facie invalid is deemed to be valid by application of legal provisions. If the seriousness of the omission is of a lesser degree, it will be an irregularity, and prejudice by way of failure of justice will have to be established. It is so grave that prejudice will necessarily be implied or imported; it may be described as illegality.</p> <p>[13]. An Illegality cannot be cured, whereas an</p>	24.08.2021

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				<p>irregularity can be cured. When because of the legal stipulations, something is illegal, it would continue to remain illegal and incurable. Thus, even those convictions that cannot be cured become invalid. However, if the accused establishes that such a cure is likely to prejudice and offend their sense of fair play and justice, then even an irregularity cannot be cured. And the Court must be satisfied that there had been a failure of justice.</p> <p>[14]. The Latin phrase, <i>Intentio inservire debet legibus, non leges intentioni</i>, means intention ought to be subservient to the laws, not the laws to the intention.</p> <p>[24]. Perusal of the Panchayat's record reveals that it did not conduct the proceedings in the way the Legislature has prescribed through the Himachal Pradesh Panchayati Raj Act, 1994 and Rule 51 of 'The Himachal Pradesh Panchayati Raj (General) Rules, 1997'. The Panchayat cannot deviate from the procedure prescribed by the law mentioned above.</p> <p>[25]. The Panchayats are directed to conduct the proceedings following the 'Himachal Pradesh Panchayati Raj Act, 1994' and Rule 51 of 'The Himachal Pradesh Panchayati Raj (General) Rules, 1997'.</p> <p>Petition disposed of accordingly.</p>	
94.	Hon'ble Mr. Justice Anoop Chitkara, Judge	Cr.A 236 of 2010	State of Himachal Pradesh v. Krishan Singh	<p>Challenging the acquittal of the accused, under Section 279 IPC and Sections 184, 185 and 187 of the M.V. Act the State filed this criminal appeal.</p> <p>The complainant, along with his family members, had gone to a temple in their Maruti car. After parking their car on the side of the road, they had gone to pay obeisance in the said temple. The moment he came out of the temple, one Swaraj Majda hit his car, and with the impact, his car further hit one Santro car.</p> <p>There is another aspect to this case. As per the complainant's statement under Section 154 CrPC (Ex.PW1/B), coupled with his testimony in Court as PW-1, he stated that he had gone to temple in the market and at that time, he had parked his car on the side of the road for 15 to 20 minutes.</p> <p>It is not the complainant's case that he had parked his car in a parking slot. It is also not his case that such a side of the road is an authorized parking place by the Municipal Council or any other government agency. Thus, he was negligent by parking his car on the roadside and not in a parking slot. When a person himself obstructs the road by parking his vehicle on the roadside, he is not justified by claiming that another person had hit his car. Consequently, it is</p>	24.08.2021

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				the complainant who is also negligent. He cannot shift his negligence on the accused. The complaint is similar to the pot calling the kettle black. However, when the accused intentionally, deliberately and purposely or with an ulterior motive hits a vehicle which is not parked in the parking slot then such an act of the errant driver would certainly make out criminal offence. Appeal dismissed.	
95.	Hon'ble Mr. Justice Anoop Chitkara, Judge	CrMMO 220 of 2021	Ms. "S" (Name withheld) v. State of HP	A 20 years girl, alleged victim of a sexual assault, has come up before this Court by filing the present petition under Section 482, CrPC seeking quashing of aforesaid FIR registered at her instance against the accused on the grounds that now they have decided to marry. [10]. This Court is of the considered belief that the victim of sexual offence cannot have any <i>locus standi</i> to approach a Court for quashing of FIR registered for the sexual assault which she had faced. Petition dismissed.	24.08.2021
96.	Hon'ble Mr. Justice Anoop Chitkara, Judge.	CrMMO 26 of 2020	Devender Sharma v. Gulbadan Singh	Challenging the order taking cognizance for offences punishable under Section 138 of Negotiable Instruments Act, issuance of summons, and further proceedings, the accused filed petition u/s 482 Cr.PC. [8]. The complainant had entered into a commercial transaction with a separate legal entity, i.e., the Company registered under the Companies Act. [9]. The company is a commercial enterprise created per law. It is an artificial person with a legal personality and comes into existence on its registration under law, usually to do business and related activities. It has stakeholders who are different from the persons who run it. It is not any of these persons who do the business, but it is the company in whose name the enterprises run. [15]. The complainant had not prosecuted the Company, on whose behalf the cheque was issued. The persons who had issued the cheque are vicariously liable on behalf of the Company. However, vicarious liability only comes into play when the principle liability is sought to be enforced. The non-prosecution of the Company would not make out any legal cause against the signatories in their personal capacity. [19]. The non-prosecution of the company from whose account the cheque was issued and dishonored is fatal, non-curable illegality and shall lead to the dismissal of the complaint being legally defective and not properly constituted. Petition allowed.	31.08.2021

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97.	Hon'ble Mr. Justice Anoop Chitkara, Judge	Cr.MMO 599 of 2018	Dr. Raj Singh v. State of HP	<p>Challenging the order taking cognizance of the offences, based on a police report filed, seeking prosecution under Sections 498-A, 354-A, 506 read with Section 34 of the Indian Penal Code; all the accused filed petition u/s 482 CrPC, for quashing the proceedings.</p> <p>[9]. The allegations against all the accused are general in nature and non-specific. The specific allegations have been leveled against the following accused. It has been mentioned explicitly against accused Vinod Kumar Kashyap (A-4) that when she was staying in Panchkula, he would continue to molest her. The victim reiterated her allegations in the statement recorded under Section 161 CrPC. Thus, as far as an offence punishable under Section 354-A of the Indian Penal Code is concerned, it is specific only against Vinod Kumar Kashyap (A-4) and none else. Given the allegations of sexual molestation leveled by the victim, there is nothing for this Court to disbelieve her testimony qua this fact.</p> <p>[10]. The allegations of physical and mental torture of the complainant are general, that took place long back, in her in-law's house at Panchkula, Haryana.</p> <p>[11]. The complaint, First Information Report, the material collected during the investigation, the outcome of the investigation as found in the Charge Sheet, even if they are taken at their face value and accepted in their entirety do not prima facie constitute any offence or make out the case against any of the accused of offences punishable under Section 498-A, 506, read with 34 of the IPC.</p> <p>[20]. Given above, the concerned Additional Chief Judicial Magistrate did not commit any error in taking cognizance of an offence punishable under Section 354-A of the Indian Penal Code against accused Vinod Kumar Kashyap (A-4). This Court is also not inclined to interfere in taking cognizance and issuing summons for an offence punishable under Section 354-A of the Indian Penal Code as far as it relates against Vinod Kumar Kashyap (A-4). Although <i>prima facie</i>, it appears that such molestation had taken place in Panchkula, i.e., out of territorial jurisdiction of Himachal Pradesh. Still, there are no specific allegations to rule out that such an incident had not occurred at the matrimonial house.</p> <p>[21]. However, the investigation is not complete whether any act of molestation occurred when the victim had visited her matrimonial house, and even the accused, Vinod Kumar Kashyap (A-4), and his wife were also there. Needless to say, that the Investigator had all the rights to carry on further investigation and file</p>	31.08.2021

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				supplementary Challan. Even if no offence was committed outside the jurisdiction of Himachal Pradesh or the jurisdiction of the Police Station, the remedy still does not lie in quashing of FIR and taking cognizance. Still, there are so many provisions to rectify these irregularities. Indeed, the prosecution will not fail on these irregularities, but the issue of jurisdiction can be adequately addressed by transferring the FIR at any stage. All petitions except the one filed by Vinod Kashyap are allowed.	
98.	Hon'ble Mr. Justice Anoop Chitkara, Judge	CrMMO 680 of 2019	Babita Kumari v. State of HP	A middle-aged lady, posted as Head Constable with Himachal Police, and who is an alleged victim of sexual harassment, wrongful restraint, insult, and criminal intimidation, has come up before this Court against the impugned order passed by Ld. Chief Judicial Magistrate, Sirmour at Nahan, HP, transferring the above-captioned Trial to the Court-Martial, accepting the request of Competent Authority under S. 125 of Army Act, 1950. [2]. While filing this petition, the victim has revealed her identity and did not conceal the same. Section 228(2)(A), IPC provides for the exemption from printing or publication of the name of the victim, which may know her identity. As per Section 228(2)(3) IPC, the penal provision does not apply when the publication is by or with the authorization in writing of the victim. Since the victim has revealed her identity in this petition, she explicitly does not call for concealment of her identity. Given above, there is no need to change her name in the memo of parties by substituting her name and concealing her identity with a fictitious name. [29]. An analysis of the legal provisions mentioned above makes it clear that it was the prerogative of the commanding officer and well within the domain of law to take a decision about trial of the accused through Court Martial. Thus, there is no illegality or impropriety in the aforesaid order. [36]. An analysis of the legal provisions and the Judicial precedents reveals that neither the victim's definition nor the proviso to S. 372 CrPC bestows any right upon the victim to choose a forum between Court-Martial and Civilian Criminal Courts for the trial of the accused of that crime. Petition dismissed.	01.09.2021
99.	Hon'ble Mr. Justice Anoop Chitkara, Judge	CrMMO 249 of 2014	Sh. Rajwant Singh v. State of HP	[26]. In this case, neither A-2 nor A-3 were prosecuted or punished for allegations mentioned in the earlier pieces of information and were entered only in the daily diary registers. Thus, the act of the investigator to	06.09.2021

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				add earlier incidents is within the purview of Section 180, and 219 CrPC does not violate Article 20(2) of the Constitution of India. Partly allowed.	
100	Hon'ble Mr. Justice Anoop Chitkara, Judge	Cr.A 2 of 2009	Ramji Dass v. State of HP	[62]. The circumstances that led to the assault lack voluntariness on the accused's side. The evidence suggests that the deceased had provoked him, and such provocation was grave and sudden. S. 335 IPC aptly deals with such a situation. [63]. In the present case, it was the deceased who caused provocation to the accused. Not only this, the Doctor had found tenderness in the testicles of the accused, which probalizes the extent of provocation. Given above, this case is fully covered under 335 IPC. Since the ingredients of Section 335 IPC are fully met, the case would automatically be excluded from the purview of Section 325 IPC, which provides an exception to Section 335 IPC. Partly allowed.	08.09.2021
101	Hon'ble Mr. Justice Anoop Chitkara, Judge	CrMMO 447 of 2017	Vinod Kumar Stokes v. State of HP	Challenging the FIR, the report under Section 173 of the Code of Criminal Procedure, 1973, (CrPC), and its presentation before Gram Panchayat instead of the Court of Chief Judicial Magistrate, (CJM), the accused had come up before this Court. [6]. Given the mandate of S. 32 of the H.P. Panchayati Raj Act, 1994, for the offences punishable under S. 341, 447, and 506 (I) IPC, only the concerned Gram Panchayat, in whose jurisdiction the offences were committed, alone can take cognizance, and none else. [9]. Mr. Bipin Negi, Ld. Senior Advocate's next submission is that the petitioner is suffering from some serious ailment, and traveling might be unsafe and a health risk. Given this, Ld. Counsel requests this Court to direct the concerned Panchayat to permit the accused's appearance through video conference and dispense with his physical presence during the entire trial. [11]. The COVID-19 pandemic has unfolded the way things will happen in the near future by demonstrating that physical presence is not that material and that video conferencing works well. [16]. By accepting the submissions of Ld. Senior Advocate about the precarious health of the accused, coupled with the fact that the H.P. Panchayati Raj Act, 1994 and its rules do not insist upon the accused's physical presence, there is no difficulty in permitting the petitioner to appear through video conference. However, it is subject to the condition that in case the accused chose to appear through video conference,	13.09.2021

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				<p>then he shall not seek an adjournment, except for medical reasons beyond his control, and later on, he shall not take the plea that the proceeding was illegal or irregular. The complainant shall also be entitled to appear through Video Conference, in case she so desires. The static law is the dead law. Such direction would significantly advance the law.</p> <p>[17]. The Panchayat is directed to conduct the proceedings following the 'Himachal Pradesh Panchayati Raj Act, 1994' and Rule 51 of 'The Himachal Pradesh Panchayati Raj (General) Rules, 1997.' However, the Panchayat shall record the proceedings of video conference and such video recording shall be admissible in evidence.</p>	
102	Hon'ble Mr. Justice Anoop Chitkara, Judge	CrMMO 582 of 2018	Subhash Chand v. Krishni Devi	<p>The petitioner's wife had filed an application under Section 125 CrPC, seeking monthly maintenance from the petitioner-husband. At the time of the wedding, she was a widow with three children. On his persuasion, she agreed to marry him. In the beginning, her marital life was good, but later on, his attitude changed, which led to discord, and he even withdrew his financial support. He would spend money on liquor instead of giving it to her and her children.</p> <p>[16]. Granting interim maintenance is similar to giving first aid. Chapter IX of Code of Criminal Procedure, 1973, provides a quick remedy by a summary procedure to protect the applicant against starvation and tide over immediate difficulties by a deserted wife or children to secure some reasonable sum by way of maintenance. S. 125 (1) (a) of CrPC provides a grant of maintenance to the wife, unable to maintain herself. Proviso to S. 125 CrPC empowers the Magistrate to order monthly allowance for the interim maintenance and also the expenses of such proceeding during its pendency. The foundation of the measures of social Justice enacted by the Legislature lay beneath the sweep of Article 15 (3) of the Constitution of India. It fulfills the concept of a welfare State in a vibrant democracy by safeguarding wives and children and preventing them from the modes of vagrancy and its consequences. Given above, it would be appropriate for the Courts to direct the person against whom an application is made under S. 125 of the Code to pay some reasonable sum by way of maintenance to the applicant pending final disposal of the application.</p> <p>[17]. The contents of the wife's application,</p>	20.09.2021

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				which is supported by her affidavit, prima facie make out just grounds for the wife to live separately and that she could not sustain financially, making out a case for interim maintenance. Although the marriage has been challenged as never solemnized yet it is subject to proof. In the present petition, the Court is concerned with interim maintenance and nothing more, nothing beyond.	
103	Hon'ble Mr. Justice Anoop Chitkara, Judge	CrMMO 418 of 2021	Manish Kumar v. State of HP	<p>[1]. An unmarried boy, aged 22 years, who remained in custody for more than fortnight on the allegations of being found in the company of his female friend aged 16 years, has come up before this Court under Section 482 of the Code of Criminal Procedure, 1973, (CrPC), seeking quashing of FIR.</p> <p>[2]. Without touching the merits of evidence, the facts necessary to decide the present case originated from the written complaint filed by the father of the victim on 17th January 2021. The complainant scribed a complaint addressed to the In-charge of Women Police Station, District Solan, about the allurement of his daughter aged 16 years by Manish (petitioner herein). As per the complaint, the victim was a student of 10+1. On 16.1.2021, at 12.30 p.m., she went from home to the temple; however, she did not return during the night. He did a frantic search amongst his relatives but could not trace his daughter. The complainant asserted that he believed that Manish had allured his minor daughter. The police registered FIR under Sections 363 and 366 IPC on these allegations and started a frantic search.</p> <p>[3]. A perusal of the final report filed under Section 173(2) CrPC reveals that the police officials searched the victim in and around Solan and Sirmaur Districts. During such a search, the police officials reached near a place known as Giripul. Then they noticed the said girl along with a boy sitting on a parapet. The father of the victim, who was accompanying the police team, identified the girl as his daughter and the boy as Manish, petitioner herein. After that, the police brought the accused to the Police Station, where, on the same day, he was arrested at around 9.00 p.m. The next day, i.e., 18.1.2021, the police officials produced the girl before learned Judicial Magistrate First Class, (JMFC) Solan. The Court recorded her statement under Section 164 CrPC. The victim revealed her age to be 17 years and testified that she had gone to her friend Manish. When she was with Manish, at that time, her father called him, and he told the truth that they were together.</p>	20.09.2021

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				<p>However, after telling the truth, they got scared. Instead of proceeding to their home, they spent the night in an isolated place. During her stay with Manish, they did not establish any physical relations. After spending the night, Manish told her that they would return, and thus, they proceeded towards Solan. The investigator also procured the date of birth certificate of the victim. She was 16 years of age. However, on oath, she had disclosed her age as 17 years. Be that as it may, she was under 18 years of age, and thus was a minor. The investigator also procured the Aadhar Card of the petitioner, which disclosed his date of birth as 13.6.1999, i.e., at the time of the incident, he was 21 years of age. The investigator prepared the spot maps where they had spent the night and the parapet on which police officials had found them. The victim refused to undergo any medical examination. However, the prosecution conducted the accused's medical examination, which did not reveal any injury.</p> <p>[6]. The initial complaint made by the victim's father explicitly stated that she had gone from her home to the temple. Although the suspicion of the complainant that she might be in the company of Manish proved correct when on the next day, the police noticed both of them sitting on a parapet on the roadside. However, even if every word of this complaint is admitted to be true and correct, it still reveals that the victim had left her home under the pretext of visiting the temple. The victim had left her home voluntarily.</p> <p>[7]. The subsequent relevant evidence, which can be considered at this stage, is the victim's statement recorded by JMFC under S. 164 CrPC. Before examining the victim, the learned Magistrate examined her mental ability by putting questions to her. After analyzing its answer, the Court was satisfied that the victim was without any fear or pressure and recorded her statement.</p> <p>[8]. The analysis of the victim's statement recorded under Section 164 CrPC reveals that she had gone on her own to meet her friend Manish, where they were together, then her father called Manish. He did not tell a lie to her father that she was not with him. In fact, he told the truth that they were together. However, after that, they became scared and did not gather the courage to return home. They spent the time in an isolated rain shelter and a house under construction. The victim explicitly stated that during her stay with Manish, they did not go physical or establish any coitus. She further clarified that it was</p>	

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				<p>Manish who told her that they should return home. After that, they proceeded towards Solan. Thus, even if this statement is taken as gospel truth, no offence is still made against the accused. This fact found corroboration when the police officials noticed both the girl and the boy sitting on the parapet towards Solan. By walking, they must have sat on a parapet to talk or to take a rest. There is nothing to disbelieve her statement.</p> <p>[12]. The victim's statements reveal that the accused never induced her, enticed her, solicited, or persuaded her to leave her home or accompany him for a night out. A bare reading of her statement under S. 164 CrPC did not reveal that she was incapable of thinking for herself and making up her mind, allowing a male adult to accompany her. The accused cannot be said to have taken her away from keeping her lawful guardian. There is neither any allegation of any inducement or participation in her decision-making. Had there been any prima facie allegation of any role played by the accused in her leaving the father's protection, or even if there was any allegation of any active part being played by the accused, at some earlier stage, or solicitation, or persuasion, it might have made out a prima facie case. Thus, in the absence of any such allegations, it would be legitimate to infer that the accused is not responsible for taking the minor out of the keeping of the lawful guardian. Merely because she had left her parent's home to join the accused and had a night out with him, where she explicitly stated that the accused did not commit any sexual act with her, would not attract the ingredients of S. 361 IPC.</p> <p>[13]. Given above, if every word of the complaint made by the victim's father and the statement made by the victim under Section 164 CrPC is believed as gospel truth, still no case is made out. Resultantly, there is no justification for continuing the FIR and the consequential proceedings, which are an abuse of the process of law. Petition allowed.</p>	
104	Hon'ble Ms. Justice Jyotsna Rewal Dua, Judge	RSA No. 87 of 2009 reserved on 26.03.2021	Ram Lal Versus Om Prakash and others	Vague agreement, uncertain agreement held, that the agreement is vague and void, therefore, not capable of being enforced.	01.04.2021.
105	Hon'ble Ms. Justice Jyotsna Rewal Dua,	CMPMO No. 421 of 2018	Rajiv Kant and others Versus Govind Singh Pathania	Matter related to rejection of plaint at the stage of arguments. Order 7 Rule 11 of CPC:- Held that the trial court committed no error in dismissing the application under Order 7 Rule	20.04.2021

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				11 moved by the defendants 11 years after filing of written statement and at the state of arguments.	
106	Hon'ble Ms. Justice Jyotsna Rewal Dua, Judge	FAO No. 109 of 2020	Sadiq Mohammad Versus Land Acquisition Officer	Matter related to restrain Land Acquisition Officer from releasing compensation amount in lieu of acquired structure Held:- That if any dispute as to the apportionment of amount of any part thereof or to any person to whom the same or any part payable then the competent author refer the dispute to the decision of Principal Civil Court of Original Jurisdiction. Suit filed was not maintainable in view of the provisions of Section 3H(4) of NHA Act, 1956.	24.04.2021.
107	Hon'ble Ms. Justice Jyotsna Rewal Dua, Judge	Cr.M.P. (M) No. 594 of 2021	Saurabh Behal Versus State of Himachal Pradesh	Matter related to grant of bail to proclaimed offender under Drugs and Cosmetics Act Held:- Every person who is not immediately available cannot be characterized as an absconder. The Court has to record its satisfaction, the accused has absconding or concealing himself, so warrant cannot be executed.	29.04.2021
108	Hon'ble Ms. Justice Jyotsna Rewal Dua, Judge	RSA No. 68/2009	Girdhari Lal Versus Sukh Dev and others	Held that the First Appellate Court is the final court of facts. The First Appellate Court should not be interfered with by the High Court in exercise of its jurisdiction under Section 100 of CPC, unless there is a substantial question of law.	30.04.2021.
109	Hon'ble Ms. Justice Jyotsna Rewal Dua, Judge	CMPMO No. 294 of 2018	Shiv Dai and others Versus Rai Singh and another	(Section 65 of Evidence Act) Held that there is no requirement that an application n is required to be filed in terms of Section 65 (C) of the Evidence Act before the secondary evidence is led. The secondary evidence cannot be ousted for consideration only because an application for permission to lead secondary evidence was not filed.	30.04.2021.
110	Hon'ble Ms. Justice Jyotsna Rewal Dua, Judge	CWPOA No. 5378 of 2019	Bishan Singh Chandel Versus HPU	(Matter related to promotion alongwith pay scale from retrospective effect) held:- That the petitioner's claim for retrospective promotion to the post of Planning and Development Officer is held not tenable, however, University is directed to release the pay and allowances alongwith consequential benefits to the petitioner.	05.05.2021.
111	Hon'ble Ms. Justice Jyotsna Rewal Dua, Judge	Cr.M.P. (M) No. 581 of 2021	Seema Versus State of H.P.	Matter related to regular bail under Section 21 and 29 of NDPS Act held:- That the accused in not guilty of alleged offence. Bail granted.	10.05.2021.
112	Hon'ble Ms. Justice Jyotsna Rewal Dua, Judge	Cr. Revision No. 114 of 2021	Jitender Kumar Versus State of H.P.	Modifying/altering the charge against the petitioner, held:- the charge could be altered at any time before the pronouncement of judgment subject to conditions set forth in Section 216 of Cr.P.C.	17.05.2021.
113	Hon'ble Ms. Justice Jyotsna Rewal Dua, Judge	CWP No. 626 of 2021	MMU Versus The State of Himachal Pradesh	Matter related to approving fee structure held:- ordering the petitioner to charge annual tuition fee in two equal instalments is quashed. State cannot direct petitioner to reserve 10% seats in	24.06.2021.

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				all courses is also quashed. The respondents at present cannot charge 1% fee from petitioners. Quashed and set aside.	
114	Hon'ble Ms. Justice Jyotsna Rewal Dua, Judge	CRMMO No. 282 of 2021	Harish Chand Versus Satita Devi and ors.	Matter related to maintenance to wife and daughter under Section 125 of Cr.P.C. held:- that amount of maintenance must be befitting the status of parties and the capacity of spouse to pay maintenance. The maintenance amount enhanced in favour of wife and daughter is just and proper in the facts and circumstances of the case.	26.06.2021.
115	Hon'ble Ms. Justice Jyotsna Rewal Dua, Judge	CWP No. 767 of 2021	Dr. Sanjay Chadha V/s State of H.P.	Matter related to premature retirement on medical grounds held:- in this case respondents are directed to reconsider the petitioner's request of premature retirement in accordance with law.	09.07.2021.
116	Hon'ble Ms. Justice Jyotsna Rewal Dua, Judge	FAO (ECA) No. 132 of 2021	Santi Devi Versus Director of Health Services and others	Matter related to claim filed under Section 22 of EC Act, held:- that the appellant cannot claim compensation under the Act only on account of being a legal heir of the deceased. In the facts of the case, the appellant did not fall in any of the categories under Section 2 (D) of the Act.	30.07.2021.
117	Hon'ble Ms. Justice Jyotsna Rewal Dua, Judge	CMPMO No. 162 of 2021	Charan Dass Versus State of H.P. and others	Application filed under Order 26 Rule 9 of CPC for seeking appointment of Local Commissioner for ascertaining the age of the apple plants statedly growing over the suit land, has not found favour with the Ld. trial Court. Aggrieved, the petitioner has filed the instant petition, held: application under Order 26 Rule 9 CPC at this stage, nothing, but an attempt on the part of the petitioner for protracting the litigation. Petition dismissed accordingly.	13.08.2021.
118	Hon'ble Ms. Justice Jyotsna Rewal Dua, Judge	CMPMO No. 152 of 2021	Roshan Lal and others Versus The Land Acquisition Collector	Matter related to petition to set aside an award passed by the National Lok Adalat on the ground that they had never authorized the Ld. Counsel who had appeared on their behalf before the National Lok Adalat. Held:- petitioners were all aware of the order of dismissing the appeal as well as their cross objections as withdrawn they cannot be allowed to set up a plea three years later that Ld. Counsel was not allowed to appear and make a statement on their behalf, award cannot be set aside for this reason. Petition dismissed.	27.08.2021.
119	Hon'ble Ms. Justice Jyotsna Rewal Dua, Judge	FAO No. 489 of 2019	National Insurance Company Ltd. Versus Sh. Babu & others	Matter relegated to liability to pay the compensation amount has been fastened upon the Insurance Company. Held:- Insurance company, therefore, is held to be pay the claimants compensation amount alongwith 12% interest per annum.	27.08.2021
120	Hon'ble Ms. Justice Jyotsna Rewal Dua, Judge	FAO No. 131 of 2021	Insurance Company Ltd. Versus Sh. Mukhtiar Khan and others	Matter relegated to liability to pay the compensation amount has been fastened upon the Insurance Company. Held:- Insurance company, therefore, is held to be	27.08.2021

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				pay the claimants compensation amount alongwith 12% interest per annum.	
121	Hon'ble Ms. Justice Jyotsna Rewal Dua, Judge	CMPMO No. 170 of 2021	Muni Lal & others Versus The Land Acquisition Collector and others	Matter related to petition to set aside an award passed by the National Lok Adalat on the ground that they had never authorized the Ld. Counsel who had appeared on their behalf before the National Lok Adalat. Held:- petitioners were all aware of the order of dismissing the appeal as well as their cross objections as withdrawn they cannot be allowed to set up a plea three years later that Ld. Counsel was not allowed to appear and make a statement on their behalf, award cannot be set aside for this reason. Petition dismissed.	27.08.2021.
122	Hon'ble Ms. Justice Jyotsna Rewal Dua, Judge	FAO No. 62 of 2018 alongwith FAO No. 35 of 2021	Sumitra Versus Veena Devi and others and NIC Versus Veena Devi and another	Matter related to claim petition under Section 22 of ECA, employer and employee relationship between husband and wife held not established, the deceased was not driving the vehicle in the capacity of driver was turned down. Held: once the vehicle is duly insured and is being plied in accordance with the policy, then the liability to pay the compensation has to be borne by the insurance company.	18.09.2021.
123	Hon'ble Ms. Justice Jyotsna Rewal Dua, Judge	CWP No. 555 of 2014	The Deputy General Manager, Power Grid Corporation of India Versus Krishnu Rana and others	Matter related to appeal against the order passed allowing the petition under Section 16(3) of Indian Telegraph Act, 1885 read with Section 51 of Indian Electricity Act. This order has been challenged. Held:- no errors in the findings recorded by the Ld. Sessions Judge, accordingly petition dismissed,	02.09.2021.
124	Hon'ble Ms. Justice Jyotsna Rewal Dua, Judge	CMPMO No. 555 of 2018	Ajay Kumar and another Versus Ishwar Dutt	Matter related to challenging the temporary injunction granted under order 39 Rule 1 and 2 of CPC by the Ld. Courts below. Held:- petition allowed, order passed by the Ld. Court below is set aside. Defendants permitted to raise construction over the land in dispute.	03.09.2021.
125	Hon'ble Ms. Justice Jyotsna Rewal Dua, Judge	FAO No. 333 of 2012	Prakash Chand Versus Sanjeev Kumar and others	Matter related to petition under Section 22 of Employee's Compensation Act against the dismissal of the claim petition by the Ld. Commissioner, Employees Compensation. Held:- matter remanded for fresh decision to the Ld. Commissioner Employees.	03.09.2021.
126	Hon'ble Ms. Justice Jyotsna Rewal Dua, Judge	CWP No. 3318 of 2021	Praveen Kumar Thakur Versus State of H.P. and others	Matter related to competence of the internal complaints committee to issue memorandum under Rule 14 of CCS (CCA) Rules, 1965. Held:- Petition allowed, internal complaints committee had no authority to issue memorandum to the petitioner.	10.09.2021.
127	Hon'ble Ms. Justice Jyotsna Rewal Dua, Judge	CWPOA No. 1360 of 2019	Khem Raj Bhandari Versus State of H.P. and others	Matter related to selection process undertaken by the respondents is challenged where the upper age limit was crosses challenged under Rule 6 of R&P Rules, 1997. Held:- petitioner cannot challenge the said appointment after taking part in selection process and failing therein. Petition dismissed.	24.09.2021.

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128	Hon'ble Ms. Justice Jyotsna Rewal Dua, Judge	CMPMO No. 168 of 2021	M/s Super Vending Technologies Versus Mukesh Sahni and others	Matter related to the application moved by the defendant under Section 8 of Arbitration and Conciliation Act, 1996 read with order 7 Rule 11 (d) of Code of Civil Procedure was allowed by the Ld. Trial Court. Aggrieved by this order the plaintiffs has moved this instant petition. Held:- provisions of Section 8 not complied with order passed by the Ld. Trial Court set aside. Civil Suit ordered to be restored.	28.09.2021
129	Hon'ble Ms. Justice Jyotsna Rewal Dua, Judge	CMPMO No. 57 of 2017	Smt. Praveen Versus Yasin	The matter relates against the dismissal of the plaintiffs objections to the report of local commissioner and confirmation of the demarcation report. Held:- petition allowed. Directions to the Ld. Trial Court to decide objections preferred by the petitioner and demarcation report afresh.	30.09.2021.
130	Hon'ble Ms. Justice Jyotsna Rewal Dua, Judge	FAO No. (MVA) 4095 of 2013	Oriental Insurance Company Ltd. Versus Smt. Gorkhi Devi and others	Matter relates to assailing the award passed by the Ld. Motor Accident Claims Tribunal by the Insurance Company on the ground being perverse contrary to law. Held:- award passed by the Ld. Tribunal is not in accordance with law. Petition allowed, case remanded to the Ld. Tribunal to decide afresh.	29.11.2021
131	Hon'ble Ms. Justice Jyotsna Rewal Dua, Judge	CWPOA No. 6450 of 2019 and CWPOA No. 5342 of 2019	Man Singh Versus State of H.P. and others and Neelam Patial Versus State of H.P. and others	Matter relates to the determination of roster point with respect to promotion. Held:- CWPOA No. 6450 of 2019 is allowed and CWPOA No. 5342 of 2019 is dismissed.	07.12.2019.
132	Hon'ble Ms. Justice Jyotsna Rewal Dua, Judge	RSA No. 325 of 2009	Ravinder Singh Versus Rai Singh 7 others	Matter relates to appeal against the judgment and decree passed by the Ld. First Appellate Court allowing the permanent injunction. Held:- appeal accepted, accordingly, no equitable relief of injunction granted.	04.10.2021
133	Hon'ble Ms. Justice Jyotsna Rewal Dua, Judge	CMPMO No. 286 of 2018	Rajinder Kumar Sood Versus Shri Om Prakash Sood	Matter relates to the order of dismissal of an application under Order 7 Rule 11 of CPC by the Ld. Trial Court. Held-Petition allowed, the application moved by the defendant under Order 7 Rule 11 CPC is allowed and the order passed by the Ld. Trial Court is set aside. Plaint ordered to be rejected.	04.10.2021
134	Hon'ble Ms. Justice Jyotsna Rewal Dua, Judge	CMPMO No. 294 of 2015	Gurmeeto and others Versus Pritam Chand and others.	Matter related to dismissal of the suit filed by the petitioners as having abated, judgment has been upheld by the Ld. First Appellate Court. Held: petition dismissed, no error committed by the Ld. Courts in dismissing the suit filed by the plaintiffs as having abated as a whole.	25.10.2021
135	Hon'ble Ms. Justice Jyotsna Rewal Dua, Judge	FAO No. 4085 of 2013	National Insurance Company Ltd. Versus Reeta Thakur and others	Matter relates to insurance company against the judgment passed by the Ld. Court below, whereby under the Workman Compensation Act, it was directed to deposit the compensation amount alongwith interest. Held: appeal dismissed, Insurance Company liable to pay the compensation.	08.11.2021.
136	Hon'ble Ms. Justice Jyotsna Rewal	RSA No. 49 of 2010	Joginder Singh Versus Neena Kumari	Matter relates to the suit specific performance of Contract filed by the appellant against the respondent was decreed by the Ld. Trial Court.	16.11.2021

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	Dua, Judge			This decree was reversed in appeal by the Ld. First Appellate Court. Held:- Ld. Trial Court was justifying in observing that the suit was required to be filed against the owner. Accordingly, the questions of law are decided against the plaintiff. Appeal dismissed.	
137	Hon'ble Ms. Justice Jyotsna Rewal Dua, Judge	CWPOA No. 1222 of 2019	Jainand Versus State of H.P. and others.	Matter relates to the termination of the services of the petitioner regular employee. This order has been assailed in the instant petition. Held: the petition allowed the order of terminating the services of the petitioner has been set aside and reinstatement shall follow.	18.11.2021
138	Hon'ble Ms. Justice Jyotsna Rewal Dua, Judge	CWP No. 4477 of 2015	Durga Singh Versus State of H.P. and others	Matter relates to the payment of no compensation in lieu of the land of the petitioner used by the respondents for the constriction of road. Held: writ petition allowed, respondents directed to take steps in accordance with law for the acquisition of land.	23.11.2021
139	Hon'ble Ms. Justice Jyotsna Rewal Dua, Judge	CWP No. 4373 of 2021	Nirmala Devi Versus State of H.P. and others	Petition has been filed assailing the orders passed by the Revenue Authorities. Held:- according to the record, the partition proceedings have been completed long back. The possession was delivered in accordance with instruments of partition, prepared as per mode of partition to the share holders of the joint land. Petition dismissed.	25.11.2021
140	Hon'ble Ms. Justice Jyotsna Rewal Dua, Judge	CWPOA No. 6096 of 2019	Laiq Ram Versus State of H.P. and others	Instant petition has been filed against the action of the respondent withholding gratuity, leave encashment and GPF. Held:- petition allowed, respondents directed to release the retiral benefits viz leave encashment and gratuity alongwith statutory interest in favour of petitioner	25.11.2021.
141	Hon'ble Ms. Justice Jyotsna Rewal Dua, Judge	FAO No. 298 of 2015	ICICI Lombard General Insurance Company Ltd. Versus Shrestha Devi and others	Aggrieved against the award passed by the Ld. Motor Accident Claims Tribunal under Section 163-A of Motor Vehicles Act. The insurance company has preferred the instant appeal. Held:- award modified, appeal disposed of. Insurer only liable to indemnify the owner with respect to his liability towards the driver under the Workmen's Compensation Act.	26.11.2021.
142	Hon'ble Ms. Justice Jyotsna Rewal Dua, Judge	CWPOA No. 6499 of 2019	Gurcharan Singh Versus Himachal Road Transport Corporation and others	Petition regarding the incorrect fixation of pay at the fag end of his service career where he has retired. Held:-respondents directed to work out the notional pay of the petitioner, petition disposed off.	08.12.2021
143	Hon'ble Ms. Justice Jyotsna Rewal Dua, Judge	RSA No. 517 of 2010 and RSA No. 499 of 2010	Ram Rattan Versus Satpal Saini & others, Satpal Saini Versus Ashok Kumar	RSA No. 517 of 2020 plaintiff in appeal against the judgment passed by the Ld. Court below, sale deed executed without a valid amount of consideration. Held:-sale deed was registered, duly proved in evidence, executed by the vendor when she was alive. It cannot be questioned by a third party. Ld. First Appellate Court did not commit an error in appreciating the pleadings, evidence and the law in dismissing the said suit filed by the plaintiff.	10.12.2021

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				Consequently, no merit, dismissed. RSA No. 499 of 2020. Held:- decided against the appellant. Defendant has admitted the receipt of the sale amount from the plaintiff for the sale of suit land in plaintiff's favour. The Ld. First Appellate Court was justified in holding the plaintiff entitled to the recovery of amount alongwith interest from the defendant. No merit dismissed.	
144	Hon'ble Ms. Justice Jyotsna Rewal Dua, Judge	CWPOA No. 1866 of 2022	Dinesh Kumar Versus State of H.P. and others	The matter pertains to selection and appointment as a Clerk against the vacant seat reserved for visually handicapped, visually impaired (Low Vision). The selection and appointment has been assailed by the petitioner in the instant petition on the ground that disability of the selected candidate fell in the category of blindness and he was 100% visually handicapped, whereas the post was reserved for Low Vision visually impaired. Held:- petition allowed, selection against the post in question is quashed and set aside. The post in question is directed to be offered to the petitioner who is next in the merit list.	15.12.2021
145	Hon'ble Ms. Justice Jyotsna Rewal Dua, Judge	Cr.M.P.(M) No. 336 of 2022 and Cr.M.P.(M) No. 337 of 2022	Virender Singh Versus State of H.P. and Sukhwinder Singh Versus State of H.P. and others	Petitioners are in judicial custody in connection with FIR No. 6 of 2022 registered under Sections 489-A, 489-B, 489-C, 420 and 34 of IPC. Held: bail petitioners has no criminal record and cooperated with the investigating agencies, bail petitions allowed. Bail granted.	25.02.2022
146	Hon'ble Ms. Justice Jyotsna Rewal Dua, Judge	CMPMO No. 33 of 2022	Rama alias Rita Devi Versus Ashwani Kumar and others	Can the written statement be filed during the pendency of application under Order 7 Rule 11 CPC. Held:- there is no embargo upon the defendants to file written statement before adjudication of order 7 Rule 11 CPC proceedings, hence, have been held to be independent of filing of written statement. Petition stands dismissed.	5.03.2022
147	Hon'ble Ms. Justice Jyotsna Rewal Dua, Judge	Cr.M.P. (M) No. 317, 361, 362, 396, 397, 398, 399 of 2022	Shivam Seth Versus State of H.P. and other connected matter.	Petitions under Section 438 of Code of Criminal Procedure , sections 409, 420, 467, 468, 471, 120-B of Indian Penal Code read with Section 13(1) of Prevention of Corruption Act. Connivance with ban officials with the loanee in sanctioning amount in their favour. Held: Bail petitions dismissed as custody is needed for interrogation, for protecting the interest of Bank and of Public at large.	17.03.2022.
148	Hon'ble Ms. Justice Jyotsna Rewal Dua, Judge	LPA.23 OF 2010	State of himachal Pradesh versus Arun Kumar goel	Entitlement of high court judge for the pension in addition to the salary e.t.c as the president to H.P state consumer commission. Held, not entitled to both simultaneously.	17.09.2021
149	Hon'ble Mr Justice Satyen Vaidya, Judge	RSA No.451 of 2001.	Churago Devi (deceased through her LRs) vs. Ram Lal.	Point involved: Whether earlier suit filed by plaintiff and dismissed in default under Order 9 Rule 8 of the CPC on account of non-appearance of plaintiff or his counsel would attract bar under Order 2 Rule 2 CPC in subsequent suit.	29.07.2021

Sr. No.	Coram	Nature of the case with No.	Title of the case	Subject matter of the decision in brief	10.08.2021
1	2	3	4	5	11.08.2021
				Conclusion: Held that it was incumbent upon defendants to have placed and proved on record pleadings of earlier suit, in absence of which, the court is precluded from forming an opinion on the objection as to suit being barred under Order 2 Rule 2 or Order 23 Rule 4 CPC.	
150	Hon'ble Mr Justice Satyen Vaidya, Judge	FAO No. 42 of 2013.	Neelam Kumari and others vs. The National Insurance Company.	Point involved: Whether a person who was owner-cum driver of the vehicle involved in the accident is entitled for compensation or not? Conclusion: Held that the owner-cum-driver of the vehicle is entitled for a limited amount of Rs.2,00,000/- only as per the terms, limits and conditions of the Insurance Policy.	06.08.2021
151	Hon'ble Mr. Justice Tarlok Singh Chauhan, Judge and Hon'ble Mr Justice Satyen Vaidya, Judge	CWPOA No. 5998 of 2020.	State of H.P. vs. Gayatri Devi and others.	Point involved: Whether the candidates with B.Sc Nursing or GNM as qualification are entitled to be considered for the post of Female Health Worker in pursuance to the Advertisement issued by the State Government ? Conclusion: On analysis, it was held that the facts involved in the bunch of cases under consideration before this Court substantially resembles the facts in Puneet Sharma's case, therefore, applying the ratio of said judgment, we have no hesitation to hold that the candidates with B.Sc Nursing or GNM have to succeed and are eligible to be considered for appointment to the post of Female Health Worker advertised vide Advertisement No. 33-2/2017 dated 16.9.2017 by the SSC, in case they find place in merit list of candidates against their respective category. It is also held that State is not justified in changing its stand in the given facts of the case. Questions i) and ii) framed herein above are answered accordingly. It was further observed that the proposition "higher qualification will include lower qualification" cannot be applied universally as an infeasible rule, it will always depend upon the facts and circumstances of each individual case.	13.8.2021
152	Hon'ble Mr. Justice Tarlok Singh Chauhan, Judge and Hon'ble Mr Justice Satyen Vaidya, Judge	CWP No. 1706 of 2020.	Mrs. Ruchi Kumari vs. The High Court of H.P. and others.	Point involved: The grievance of the petitioner is that the 2 nd amendment dated 1.10.2016 to the 2014 Rules is violative of Articles 14 and 16 of the Constitution of India and thus, based on such amendment, the selection process for the post of Assistant Programmer undertaken by the High Court in pursuance to Advertisement No. HHC/Rules/Tech. Man. (Comp.)1/2014 dated 1st October, 2016, denying her equal opportunity of participation, is wrong and illegal.	24.8.2021

Sr. No.	Coram	Nature of the case with No.	Title of the case	Subject matter of the decision in brief	10.08.2021
1	2	3	4	5	11.08.2021
				<p>Conclusion:</p> <p>Article 16 of the Constitution of India guarantees the fundamental right in favour of the citizens of India to have equality of opportunity in matters relating to employment or appointment to any office under the State. There is no scope to deviate save and except the inherent prescriptions of the provision itself. Additionally, any classification formed within the citizens of India for the purposes of any employment or appointment to any office under the State, the same has to qualify the test of reasonableness and the classification so made must have a nexus with the object sought to be achieved.</p> <p>The amendment in the Rules, carried by High Court, vide 2nd amendment dated 01.10.2016 cannot stand the scrutiny of law as it violates Articles 14 and 16 of the Constitution of India. The classification so made vide amendment supra cannot be said to be reasonable and also cannot be said to have been made to achieve any legally sustainable objective. No reason much less any plausible reason has come forth to justify such act. Not even a single word has been uttered on behalf of the High Court justifying any reason which might have weighed with it for creating a special class. Even otherwise also we have not been able to perceive any single reason for making such classification. To consider that the system officers working under e-courts had gained special experience will only be a fallacy, because firstly, there is nothing on record to suggest such hypothesis and secondly it cannot be assumed that except for these persons others would have lacked in such experience.</p> <p>Therefore, amendment dated 01.10.2016 carried to the High Court of Himachal Pradesh Members of Technical Manpower (Computers) (Appointment, Conditions of Service and Conduct) Rules, 2014 prescribing preferential mode of appointment for the System Officers working under the e-Courts project for the post of Assistant Programmer is quashed and set aside.</p>	
153	Hon'ble Mr. Justice Tarlok Singh Chauhan, Judge and Hon'ble Mr. Justice Satyen Vaidya, Judge	CWP No.3167 of 2021.	Arpita vs. State of H.P. and others.	<p>Points involved:</p> <p>i) Whether petitioner's husband has been illegally arrested and she also apprehended her as well as her daughter's arrest?</p> <p>ii) Whether raid conducted by the Punjab Police in the premises was absolutely illegal and unauthorized?</p> <p>Conclusion:</p> <p>The umbrella of protection under the Drugs and Cosmetic Act and the rules framed</p>	14.09.2021

Sr. No.	Coram	Nature of the case with No.	Title of the case	Subject matter of the decision in brief	10.08.2021
1	2	3	4	5	11.08.2021
				thereunder, vanishes the moment the provisions contained under this Act and Rules are infringed or violated by the holder of a licence under the said Act/Rules and in such circumstances, merely holding a licence under the Drugs and Cosmetic Act and the Rules framed thereunder does not provide immunity from the rigors of the NDPS Act and the Rules framed thereunder.	
154	Hon'ble Mr. Justice Tarlok Singh Chauhan, Judge and Hon'ble Mr. Justice Satyen Vaidya, Judge	CWPOA No. 6251 of 2021 a/w connected matters.	Vinod Kumar and others vs. State of H.P. and others.	Points involved: Whether the recruitment/selection process initiated by the HPSSC for the post of JBT in the department of Elementary Education strictly on the basis of 2017 Rules by ignoring the NCTE notification is sustainable? Conclusion: The National Council of Teachers Education (NCTE) is empowered by Section 12-A of NCTE Act and under Section 23 (1) of Right to Education (RTE) Act to prescribe minimum qualification for the teachers for Class I to V and the prescription made by said authority in exercise of its aforesaid powers shall have overriding effect on the Recruitment and Promotion Rules made by the State Government by virtue of proviso to Article 309 of the Constitution.	26.11.2021
155	Hon'ble Mr. Justice Satyen Vaidya, Judge	RSA No. 558 of 2010 a/c Cross Objection No. 266 of 2011.	Alka and others (all daughters of late Sh. Munshi Ram) vs. Smt. Dolan Devi and others.	Points involved: Whether plaintiff entitled for the ancestral property as plaintiff presumed to have married and stayed under one roof for longer period of time? Conclusion: The view taken by the Hon'ble Supreme Court in Jinia Keotin and others vs. Kumar Sitaram Manjhi and others (2003) 1 SCC 730 is to be followed as precedent and the pending matter has to be decided on such binding precedent till the reference is answered by larger Bench of the Hon'ble Supreme Court. Reference in this regard can be made from State of Maharashtra and another vs. Sarva Shramik Sangh, Sangli and others reported in (2013) 16 SCC 16.	24.12.2021
156	Hon'ble Mr. Justice Tarlok Singh Chauhan, Judge and Hon'ble Mr. Justice Satyen Vaidya, Judge	CWP No. 3894 of 2021 a/w connected matters.	Reena Kumari Vs. State of H.P. and others.	Points involved: i) Whether the decision dated 21.8.2017/18.9.2017 of State Government qualified the test of legality and fairness, if so, whether the selection made by HPSSC to JOA 447, in pursuance to such decision, were valid? ii) Whether the application of different set of rules contemporaneously for the same post by the respondents is justified? Conclusion: Once the State Government had decided to expand the eligibility conditions prescribed in	31.12.2021

Sr. No.	Coram	Nature of the case with No.	Title of the case	Subject matter of the decision in brief	10.08.2021
1	2	3	4	5	11.08.2021
				the advertisement issued by the Service Selection Board while making recruitment to the post of JOA(IT), the same Government could not subsequently change its stand for the recruitment to the same post, though in pursuance to a different advertisement, especially when the Recruitment and Promotion Rules remained unchanged?	

PART- IV
INFRASTRUCTURE DEVELOPMENT

CHAPTER-6

STATUS OF INFRASTRUCTURE OF HIGH COURT

(Updated upto 31.03.2022)

1. Details of High Court Complex in the State:

Sl. No	As on	Number of Court Complex available	Number of Court complex(es) in Government owned building	Number of court complex(es) in self owned building	Number of court complex(es) on rent
1.	31.03.2022	1	0	1	0

2. Details of Court Hall in High Court:

Sl.No	As on	Number of court halls required	Number of court halls available	Number of court halls in government owned building	Number of court halls in self owned building	Number of court halls on rent
1.	31.03.2022	13	13	0	13	0

3. Details of Funds allotted for infrastructure for financial year 2021-22: (Data as per record of HPPWD)

Sl. No	Head of Account	Sanctioned Budget (Rs. In Lac)	Expenditure (Rs. In Lac)
1.	Demand No.03 Administration of Justice (Plan & Non Plan)	3716.28	1038.53 (upto 02.2022)

4. Details of Court Complexes/Court Halls of H.P. High Court which are under construction: NIL

5. Details of Renewable Energy Enabled Court Complex (es):

Sl. No.	As on	Total number of court complexes	Court complexes which are at least 100% renewable energy enabled	Court complexes which are at least 50% renewable energy enabled	Court Complexes which are at least 25% renewable energy enabled
1.	31.03.2022	1	0	0	01

Please Note: In the High Court of Himachal Pradesh a Solar Power Plant of 100 kWp capacity has been installed and commissioned in May, 2016 which would cater to the energy requirement of the High Court of Himachal Pradesh to a great extent.

Screen shot showing the work of solar energy in the Administrative Block of H.P. High Court.



6. Details with regard to differently abled friendly court complex(es):

Sl.No.	As on	Number of court complex(es)	Number of court complex, which is differently-abled friendly
1.	31.03.2022	1	NIL (As per Harmonised Guidelines of the Rajiv Raturi Vs. UOI Hon'ble Supreme Court of India case High Court does qualify as Differently abled friendly.)

Please Note: Entry points at the High Court Complex for differently-abled persons are accessible. Lifts have also been provided for the facility of differently abled persons. The curb cuts and slopes have been provided at all the entrance gates for easy access of wheel chair users. There are separate washrooms for ladies and gents at each floor of the High Court Complex.

7. Details with regard to Residential Accommodation for Hon'ble Judges:

Sl. No	As on	No of residential accommodation required	No of residential accommodation available	No of owned residential accommodations	No of government owned residential accommodations	No of residential accommodation taken on rent
1.	31.03.2022	11	11	06	05	0

8. Residential accommodation which are under construction: Nil

9. Closed Circuit Television Cameras (CCTV):

List of CCTV Cameras already installed in High Court Premises

Sr. No.	Location	No. of CCTV Cameras installed
1.	Main Entry Gate of High Court, meant for vehicular traffic	One CCTV camera with night vision facility
2.	Main Entry Gate of High Court, meant for pedestrians	One CCTV camera with night vision facility
3.	Near Main Gate of New Administrative Block	One CCTV Camera
4.	Hon'ble Judges Entry Path to New Auditorium of High Court	One CCTV Camera
5.	Hon'ble Judges Porch	One CCTV Camera
6.	PWD Tunnel	One CCTV Camera
7.	Near the High Court Canteen	One CCTV Camera with night vision facility
8.	3 rd , 4 th , 5 th , 6 th & 7 th Floor of Main High Court Building	Two CCTV cameras at each floor (Total 10 CCTV Cameras)
9.	Ground Floor and First Floor of Main High Court Building	One CCTV Camera in each floor (Total 2 CCTV Cameras)
10.	Main Entrance of Main High Court Building	Two CCTV Cameras
11.	2 nd Floor of Main High Court Building	Three CCTV Cameras
12.	Near Goomti	One CCTV Camera
	Total	25 CCTV Cameras

Proposed Locations for the installation of CCTV Cameras

Sr. No.	Location	No. of CCTV Cameras required
1.	Entrances of High Court Gymnasium	Two CCTV Cameras
2.	Underground Judges Parking	Two CCTV Cameras
3.	Entrances of Old High Court Building	Three CCTV Cameras
4.	Judges/Judicial Officers Parking	Two CCTV Cameras
5.	High Court Employees Parking	Two CCTV Cameras
6.	Path towards the Lift in AG Office	One CCTV Camera
7.	Path towards Lawyers Chambers	One CCTV Camera
8.	Gate/path to Hotel Holiday Home	One CCTV Camera
9.	Main Entry Gate of High Court	One CCTV Camera
10.	Ground Floor of Main High Court Building	One CCTV Camera
11.	Record Room in Main High Court Building	One CCTV Camera
12.	Backside of Main High Court Building	One CCTV Camera
	Total	18 CCTV Cameras

Proposed Locations for the installation of CCTV Cameras in New Administrative Block

Sr. No.	Location	No. of CCTV Cameras required
1.	Entry point to the Lift from the Judicial Branch	One CCTV Camera
2.	Entry and exit from the Judicial Branch at Main Gate	Two CCTV Cameras
3.	One facing the filing Counter and another facing the Copying agency, in the Ground Floor	Two CCTV Cameras
4.	One facing Writ Section and one facing the FAO/RSA Section	Two CCTV Cameras
5.	Basement-I One on the left side and one on the right side (entry points)	Two CCTV Cameras
6.	Basement-II One on the entry point and one on the passage	Two CCTV Cameras

	leading outside the building	
7.	One in inspection room, one outside the inspection room in the corner, one facing RFA and another facing Stat Section on the first floor. One facing Criminal Section and other facing Civil Suit Section	Five CCTV Cameras
8.	One at entry point to the Auditorium from the Judicial Branch, Two at entry and exit to the New Auditorium from the Road side	Three CCTV Cameras
	Total	20 CCTV Cameras

10. Diesel Generator Sets (DG sets):

One Diesel Generator Set each of sufficient capacity has been installed in main court building of H.P. High Court and Administrative Block of H.P. High Court.

STATUS OF INFRASTRUCTURE IN DISTRICT JUDICIARY

1. Details of Court Complex(es) in the State:

Sl. No	As on	Number of Court Complex available	Number of Court complexes in Government owned building	Number of court complexes in self owned building	Number of court complexes on rent
1.	31.03.2022	49	8	41	0

2. Details of Court Complex(es) on rent in the State: NIL

3. Details of Court Halls in the state:

Sl.No	As on	Number of court halls required	Number of court halls available	Number of court halls in government owned building	Number of court halls in self owned building	Number of court halls on rent
1.	31.03.2022	32 (upto year 2022 and beyond)	168	24	144	0

4. Details of Court Halls on rent: NIL

5. Details of Funds allotted for infrastructure: (Data as per record of HPPWD)

Sl. No	Financial Year	Funds allotted for Infrastructure (from all sources including Central, State or any other source)	Funds utilized	Extra funds demanded for infrastructure	Funds surrendered	Funds re-appropriated from infrastructure funds to other activities.
1	2021-2022	Demand No.03 Administration of Justice (Plan & Non Plan)	1038.53Lac (upto 02.2022)	-	-	-

6. Details of Court Complex(es)/Court Halls which are under construction:

06 Nos. Court Halls at Amb, 02 Nos. Court Halls at Karsog and 01, Court Hall at Kullu are under construction.

7. Details of Renewable Energy Enabled Court Complexes: NIL

Sl. No.	As on	Total No. of court complexes	Court complexes which are at least 100% renewable energy enabled	Court complexes which are at least 50% renewable energy enabled	Court Complexes which are at least 25% renewable energy enabled
1.	31.03.2022	49	4	9	13

Please Note: Out of total 49 court complexes, Solar Power Plants have been installed at 26 court complexes. The process of installation of remaining court complexes is underway.

8. Details with regard to differently abled friendly court complexes:

Sl. No.	As on	Number of court complexes	Number of court complexes which are differently-abled friendly
1.	31.03.2022	49	11 court complexes are partly differently-abled friendly

Please Note: None of the court complexes in Himachal Pradesh qualify as differently abled friendly as per Harmonised Guidelines of Rajiv Raturi vs. UOI in Supreme Court of India case. However, copy of the said judgment and Harmonised guidelines have been forwarded to all the District and Sessions Judges in H.P. for necessary action. Also, all the Sessions Divisions have been requested for making public buildings /places accessible for persons with disabilities. This has been done in the wake of Accessible India Campaign (Sugamya Bharat Abhiyaan). The process of making all the court complexes differently abled friendly as per Harmonized Guidelines of Rajiv Raturi vs. UOI in Supreme Court of India case is underway.

9. Details with regard to Residential Accommodation for Judicial Officers:

S . N	As on	No of residential accommodation required	No of residential accommodation available	No of owned residential accommodations	No of government owned residential accommodations	No of residential accommodation taken on rent	No of Judicial officers without residential Accommodation
1.	31.03.2022	64 (upto 2022 and beyond)	146	86	44	16	NIL

Note: The aforementioned availability of residential accommodation is as per the existing working strength of the Judicial Officers holding Courts. The remaining judicial officers are posted in the Hon'ble High Court and on deputation with the State Government who have been provided accommodation by the state government.

10. Details of Residential Accommodation on Rent:

Sl. No	As on	Number of residential accommodation on rent	Number of residential accommodation on rent for the period				
			Less than 1 year	1-3 years	3-5 years	5-10 years	10 years and above.
1.	31.03.2022	16	4	09	03	0	0

11. Residential accommodations which are under construction: NIL

CHAPTER- 7

SANCTIONED STRENGTH, WORKING STRENGTH AND VACANCIES OF JUDGES IN HIGH COURT AND DISTRICT JUDICIARY

i) Working Strength of Hon'ble Judges (including Hon'ble the Chief Justice) in High Court of Himachal Pradesh as on 31.03.2022.

Sl. No.	Sanctioned strength	Working strength (Including Hon'ble the Acting Chief Justice)	Vacancy position
1.	13	09	04

ii) In the cadre of District Judges/Additional District Judges as on 31.03.2022

Sl. No.	Sanctioned strength	Working strength	Vacancy position
1.	55	55	00

iii) In the cadre of Senior Civil Judges as on 31.03.2021

Sl. No.	Sanctioned strength	Working strength	Vacancy position
1.	48	35	13

iv) In the cadre of Civil Judges as on 31.03.2021

Sl. No.	Sanctioned strength	Working strength	Vacancy position
1.	72	72	00

CHAPTER- 8

STATUS OF COMPUTERISATION OF HIGH COURT AND DISTRICT JUDICIARY

(updated as on 31.03.2022)

- **Introduction:**

High Court of Himachal Pradesh has taken various steps for its own computerization and of District Judiciary in Himachal Pradesh in terms of the National Policy and Action Plan prepared by the e-Committee and otherwise also.

COMPUTERIZATION OF HIGH COURT

- 1). The work of computerization in the High Court of H.P. was started in March, 1994 under the auspices of the National Informatics Centre (N.I.C.), Government of India.
- 2). At the very beginning, one Computer System with 32 terminals was provided in the High Court.
- 3). Subsequently, one more Pentium (Pro) computer and one Pentium-3 Computer systems were added.
- 4). Later on 20 more terminals were also added and equal number of printers were also provided.
- 5). Subsequently more Personal Computers were also added and other computer infrastructure was also provisioned.
- 6). Ninety five (95) Slim Clients, 95 UPSs and 50 H.P. Laser Jet printers along with other computer hardware were purchased in the High Court of H.P under the e-Courts project in the year 2009 which has considerably upgraded the computer infrastructure in High Court of H.P.
- 7). Twenty one (21) desktop PCs of latest configuration were purchased in the year 2013 for further up-gradation of the computer infrastructure in High Court of H.P.
- 8). Thirty Three (33) Desktop PCs. (Including 12 Nos. PC's for Digitization / Scanning) and 13 Printers have also been purchased during the financial year 2014, with a view to further upgrade the Computer infrastructure in the High Court of H.P.
- 9). In order to make further addition in the Computer infrastructure in High Court of Himachal Pradesh, 30 All-in-one Desktop PCs and 13 Laser jet Printers were purchased in the year 2015.

- 10). One SAN Storage of 10 TB has been purchased in March, 2016 for a consideration of ₹27,49,320/- (Rupees Twenty Seven Lacs Forty Nine Thousand Three Hundred and Twenty only) for use in High Court of H.P. and the same has been installed.
- 11). In the month of May, 2017 five Intel i5 Desktops, one Multifunctional Device (MFD) with 10 Duplex Network Printer have been purchased.
- 12). In the month of August, 2017, following old unserviceable hardware was auctioned:

Sl. No.	Name of article	Date of purchase	Qty. (Nos.)
Computer Systems			
1	HCL Intel Celeron TM Processor @600 MHz	22.11.2000	16
2	HCL Pentium-IV Computer :Intel Pentium-IV,2.4 GHz	31.03.2004	3
3	HCL Celeron Computers	31.03.2004	30
Printers			
4	HP Laserjet 6L Pro Laser Printers	22.11.2000	15
5	HP Officejet 7408 Colour Printer	22.11.2000	1
Scanner			
6	HP Scan Jet 4300 C	22.11.2000	16
Dot Matrix printers			
7	DMP Printer Wipro LQ 1050+DX Gold, 24 Pin, 132 Col.	02.06.2003	5
8	DMP Printer Wipro LQ DSI 5235	27.03.2004	6
LAPTOPS			
9	Compaq Laptop Notebook, 2111	31.03.2004	1
10	Compaq Laptop NX 9010	27.03.2004	5
11	HP Laptop 6710	31.03.2004	5
UPS			
12	UPS (Off-line 1 KVA)	22.11.2000	16
13	UPS	31.03.2003	4
14	UPS – 500 VA with 120 minutes backup.	22.11.2000	19

- 13). In the month of November, 2017, 14 number of i3 Desktops of Dell Make have been purchased.
- 14). In the month of March, 2018, following old unserviceable hardware was auctioned:

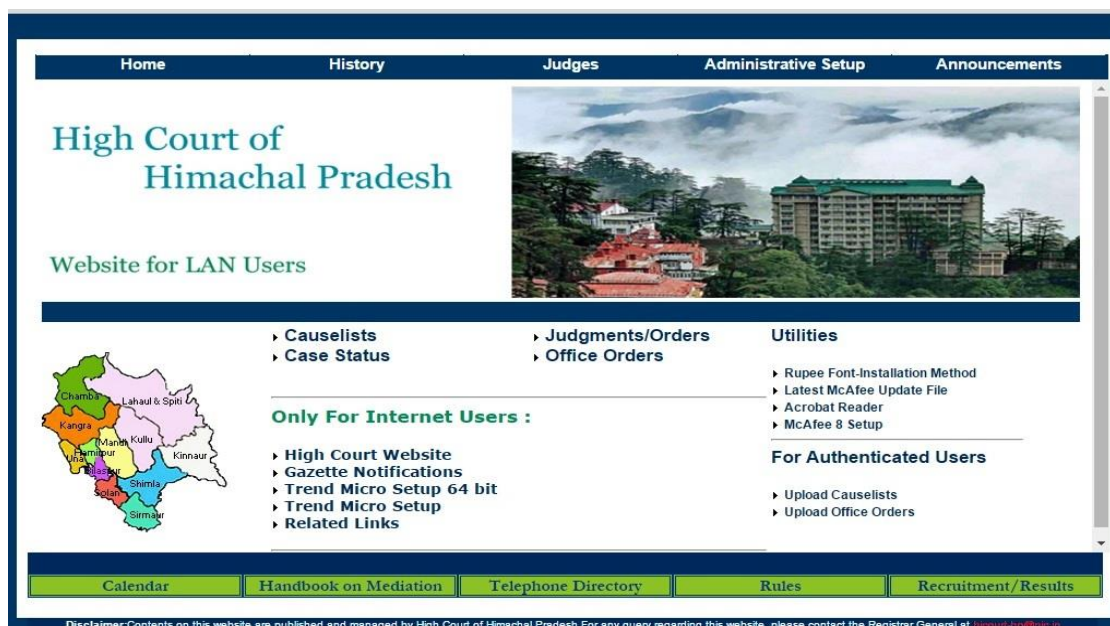
Sl. No.	Name of article	Date of Purchase	Qty. (Nos.)
1	Dell Optiplex 170 L Celeron based PC	13.12.2005	2

	purchased by the GAD Branch			
2	Dell Optiplex 6X620 P-IV with HT PC purchased by the GAD Branch	30.03.2006	9	
3	Dell Optiplex GX620 P-IV with HT purchased by the GAD Branch	16.12.2006	7	
4	Dell Optiplex 170 L Celeron based PC purchased by the GAD Branch	16.12.2006	2	
5	Dell Optiplex GX620 P-IV with HT PC purchased by the GAD Branch	16.12.2006	2	
6	Dell Optiplex 620GXSD21B P-IV, 3 GHz, 80 GB HDD, 2 GB, DVD RW	Received from the erstwhile Administrative Tribunal	17.03.2006	2
7	Dell Optiplex 620GXSD21B P-IV, 3 GHz, 80 GB HDD, 2 GB, DVD RW		17.03.2006	18
8	Dell Optiplex 620GXSD20B P-IV, 3 GHz, 80 GB HDD, 2 GB, DVD RW		17.03.2006	2
9	Dell Optiplex 620GXSDC (P4 with 17inch TFT)		29.03.2006	7
10	HCL Intel Celeron TM Processor @600 MHz		22.11.2000	3
Total			54	
11	LENOVO N 100 Series Model 0768 GZQ	30.03.2007	2	
12	LENOVO 3000 Model Type No.Y410 T5250W41024120 PiVCW 3b775742Q	30.03.2007	1	
Total			3	
13	Cisco Layer 2 WS-C2960G-24TC-L	30.03.2010	2	
14	Dlink DES 3226S	25.05.2004	1	
Total			3	
15	HP 1008	13.03.2009	1	
Total			1	
16	Libert UPS online with 30 min backup 6 KVA	02.06.2003	1	
17	Tiny Triton 10 KVA online UPS with 1 hour backup	26.03.2004	1	
Total			2	

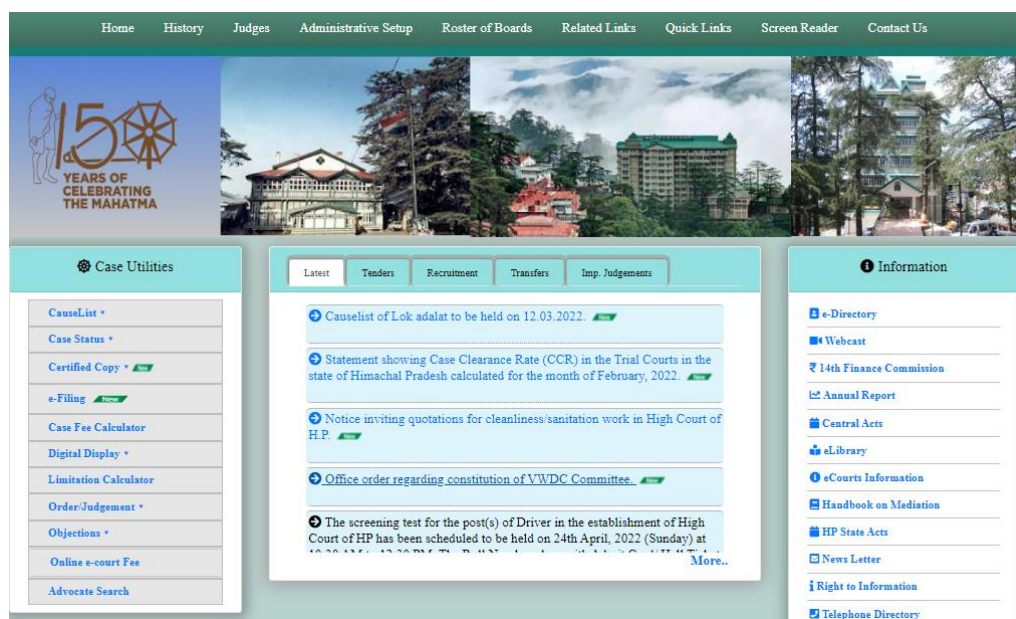
- 15). In the month of March, 2018, 54 numbers of i3 Desktops of Dell make have been purchased.
- 16). In the month of March, 2019, 51 numbers of i3 Desktops, 40 number of Brother Duplex network printers, 5 numbers of Cannon Image printers, 1 Scanner (Cannon), 1 flatbed

- Scanner (Cannon), 5 Display Board 32" of Samsung make, 1 Dell Power Rack Server and 1 HP Rack Server, have been procured.
- 17). 9 numbers of iPad AIR 10.5" 256 GB have been procured for use of Hon'ble the Chief Justice and Hon'ble Judges and 1 Samsung Galaxy Tab-A 595N, has been procured for paperless working.
 - 18). 5 five number of Media Player Thin Client PC SG-PS have been procured for Display Boards procured earlier.
 - 19). 09 numbers of laptops have been procured and provided to Hon'ble the Chief Justice and Hon'ble Judges, looking at the utility of the technical devices in January, 2021.
 - 20). Justice Clock has been procured and installed in the High Court Premises for displaying judicial data and other information for the benefits of advocates, litigants and general public, in October, 2020.
 - 21). 16 numbers of Dell All-in-one Desktops for use in the Hon'ble Courts for Video Conferencing have been procured and provided in January, 2021.
 - 22). 40 numbers of HP Laserjet Printers have been procured for use in the High Court Registry, in January, 2021.
 - 23). 40 KVA Online Modular UPS has been procured for use in the High Court Registry, in March, 2021.
 - 24). Case Management Information System (CMIS) was implemented in the High Court of H.P. in May/June, 2013 which was based on LAMP (Linux, Apache, My SQL and PHP) platform.
 - 25). It has replaced the earlier LOBIS (List of Business Information System) which was based on FoxBASE technology.
 - 26). The data of CMIS has been migrated to CIS 1.0 for High Court and made operational.
 - 27). Two websites one internal and one on-line are being maintained in High Court of Himachal Pradesh.
 - 28). The internal web site, which is accessible on the LAN of the High Court, provides the facilities of History of High Court of H.P, Judges Profiles, Announcements, Cause lists, Case Status, Judgments /Orders besides Calendar, Handbook on Mediation, Telephone Directory, Rules& Recruitment Results etc.
 - 29). Web Services have been developed and launched to reflect statistics of High Court on NJDG.
 - 30). Dspace software has been customized and implemented in High Court for storing the digital records of disposed cases.
 - 31). Customization of Dspace software for storing digital records of pending cases is in progress.

Screen Shot of Intranet Website High Court of H.P.



Screen Shot of Live Website of High Court of Himachal Pradesh (<http://hphighcourt.nic.in>)



- Online web site of the High Court of H.P., provides the following features on the Home Page itself:-

- 1). The history of High Court of Himachal Pradesh;
- 2). Profiles of Hon'ble sitting and former Chief Justices and Hon'ble Judges of the High Court of H.P.;
- 3). Administrative set up of High Court of Himachal Pradesh;
- 4). Roster of Boards

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- 5). Related links;
- 6). Quick links
- 7). Screen Reader
- 8). Contact Details
- 9). Case Status
- 10). Cause-lists;
- 11). Certified Copy
- 12). e-Filing
- 13). Case Fee calculator
- 14). Digital Display
- 15). Limitation Calculator
- 16). Orders/Judgments;
- 17). Objections
- 18). Online e-Court Fee
- 19). Advocate Search
- 20). Latest
- 21). Tenders
- 22). Recruitments/Results;
- 23). Transfers
- 24). Important Judgments
- 25). e-Directory
- 26). Webcast
- 27). 14th Finance Commission
- 28). Annual Report
- 29). Central Acts
- 30). e-Library
- 31). E-Courts Information
- 32). Handbook on Mediation
- 33). H.P. State Acts
- 34). News Letter
- 35). Right to Information Act
- 36). Telephone Directory;
- 37). Daily Disposal Statement
- 38). Data of Pending Cases
- 39). Gazette Notifications
- 40). Grievances/Suggestions
- 41). High Court Rules
- 42). Mobile Apps

- 43). Online e-Gate Pass
- 44). Proformance
- 45). The Home page of the on-line web site also provides a map of the Civil & Sessions Divisions in H.P. and by clicking on map of any particular Civil and Sessions Division, one is straightaway directed to the website of that particular Civil & Sessions Division and such person can access the information available on the website of the particular Civil & Sessions Division.

- **A facility of searching the Orders/Judgments is available on the external website on the basis of:-**

- 1). Case Number wise;
- 2). Coram wise;
- 3). Party wise;
- 4). Advocate wise;
- 5). Period wise;
- 6). Act/Rule wise;
- 7). Free text search,
- 8). Full Bench Search.
- 9). Facility of filtration of reported/unreported Judgments is also available.
- 10). Interim orders and judgments are being uploaded on the website of High Court of Himachal Pradesh from where these can be downloaded by the parties.

- **Screen Shot of Orders/Judgment & Free Text Search Module.**

- High Court Website has been redesigned and Old website of Hon'ble High Court of Himachal Pradesh has been replaced with new responsive website.

- **SMS and e-mail messages:**

At different stages of the cases, auto generated SMS & e-mail alerts are sent to the Advocates and parties, if they have got registered their email addresses and mobile numbers in the CIS.

- **Modern Digital Display System in High Court**

- 1). Modern Digital Display System has been installed in High Court of Himachal Pradesh, for live Display of the cases being taken up before the Hon'ble Courts for the convenience of the Advocates and litigants with facility of simultaneous display of such information on the website of High Court and Smart phones with android and IOS applications.
- 2). Modern Digital Display System is also having facility of displaying of messages about mediation legal aid schemes and other information of public use during the period when the Hon'ble Courts are not sitting.
- 3). Digital Display Boards in two sizes (32 inches display - 23 Nos & 52 inches display - 10 Nos) have been installed at various locations viz inside & outside the Court Rooms, Corridors, Reception Area, Bar Room, Canteen and Judicial Branch (New Administrative Block).



- **Digital Signature Certificates**

The Digital Signature Certificates for Hon'ble Judges in High Court of H.P have been purchased. Digital Signatures Certificates for Class-I Officers/ of High Court of Himachal Pradesh have also been purchased and are being used for procurement and other purposes etc.

- **Video Conferencing**

- 1). Video conferencing Unit has also been set up at the High Court level, which is being used extensively for video conferencing with Hon'ble Supreme Court of India, National Legal Services Authority and the Presiding Officers of the District Judiciary etc.
- 2). Document Presenter has also been installed in the VC Unit in High Court of Himachal Pradesh paving the way for using such V.C. Units for recording of evidence through Video Conferencing.

- **SAN Storage**

Since, present storage capacity of Computer Server of the High Court of Himachal Pradesh was likely to be exhausted, hence, one SAN storage of 10 TB capacity alongwith SAN switches has been purchased by the High Court of H.P. at a cost of ₹ 27,49,320/- from M/s. HPSEDCL and the same has been installed.

- **Leased Line Facility at High Court of Himachal Pradesh**

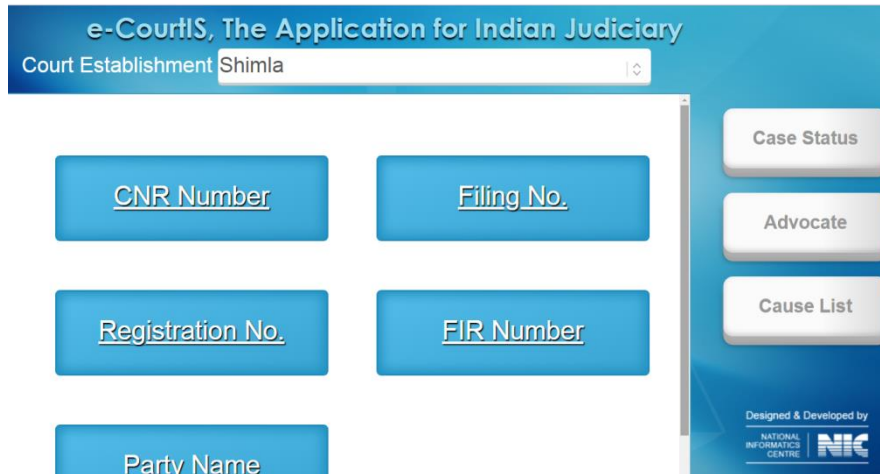
Prior to 2013, there were only two leased line circuits of two Mbps each, in order to cater to the needs of the High Court of H.P., but the same were highly deficient, hence, in the year, 2013, a leased line of 20 Mbps on OFC has been made operational here, whereas other two leased lines of 4 Mbps are being used as backup line to the main line of 20 Mbps leased line. During COVID- 19 pandemic, cases were being taken up through virtual mode, and for smooth and un-interrupted functioning of Hon'ble Courts, the 20 Mbps existing bandwidth was at first upgraded to 34 Mbps and further increased to 100 Mbps.

- **Kiosks for Display of Case Status & Cause Lists etc.**

Two Kiosks, one in the Bar Room of High Court of Himachal Pradesh and one at the main entrance of Court Building have been installed, which provide information as follows:

- 1). Case Information;
 - i. Case Number wise;
 - ii. Party wise;
 - iii. Advocate wise.
- 2). Get Filing Number;
- 3). Upload Query;
- 4). Cause Lists;
- 5). Office Information.

- **Screen shot of Home Page of the Kiosk**



- **Digitization / Scanning in High Court of H.P**

An amendment being Second Amendment of 2013 has been carried out in Himachal Pradesh High Court (Scrutiny, Maintenance of Judicial Records, Administrative and Executive Business) Rules, paving the way for scanning/digitization of Court record of the High Court of H.P.

Twelve (12) High Speed Scanners (Kodak IL 420) and twelve (12) Desktop PCs. with latest configuration have been purchased for use in the digitization/scanning project.



Two officials of the High Court, having computer knowledge, were sent to Hon'ble Bombay High Court for getting training in scanning/digitization of Court record.



The project for digitization was initiated in the High Court of Himachal Pradesh in the year 2013 when 12 scanners were purchased. However, the project did not pick up the desired speed for want of Manpower. Efforts were made to outsource the project by inviting bids in response to tender for digitization. However, the heavy cost of proprietary Document Management Software (DMS) to the tune of ₹92 lakh was a big discouragement for outsourcing the project. Taking guidance from the eCommittee, a project was initiated to customize the Open Source DMS namely D-space. After efforts by dedicated team, we have been able to customize D-space version 6.1 and now the digitized record is being stored in D-space version 6.1. The pace of digitization has also picked up as more Manpower has been deployed for the project. As on 31.03.2022, **1,25,185 files comprising 76,91,762 pages** have been scanned.

Initially, D.M.S (Document Management System) was locally developed for the purpose of scanning and digitization and the scanned / digitized record was stored in the same. Now Dspace software has been customized and implemented in High Court for storing the digital records of disposed off cases.


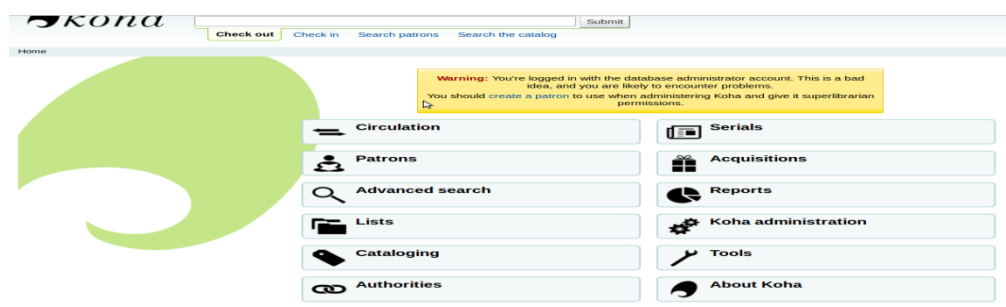
Going by this infrastructure, slow pace of scanning and digitization and high cost, it has been decided in the meeting of Hon'ble State Court Management Systems (SCMS) Committee to outsource work of scanning and digitization. The Detailed Project Report in this regard has been submitted to the State Government for allocation of funds to the tune of ₹1.5 crore for scanning and digitization of judicial record in the High Court and ₹ 10.8 crore for scanning and digitization of judicial record of District Judiciary.

eOffice in High Court

- The fruits of Digitization should not limit only to case record, but should also extend to administrative record. A step forward, in order to improve efficiency and accountability in the official working, eOffice was initially started in the Establishment Branch of this Registry. Efforts are being made to start eOffice in other branches of the Registry.

Converting High Court Library into e-Library

As a pre-cursor to converting High Court Library into e-Library, KOHA has been implemented and so far **28,154** text books have been entered in KOHA, Open Source Integrated Library System, till 31.03.2021, by the Library Section of this Registry.



OPEN-SOURCE INTEGRATED LIBRARY SYSTEM

Username:

Password:

Library:

Add MARC record

Show MARC tag documentation links

Change framework:

0

000 ? - LEADER

▲ 00 fixed length control field *

001 ? - CONTROL NUMBER

▲ 00 control field

003 ? - CONTROL NUMBER IDENTIFIER

▲ 00 control field *

005 ? - DATE AND TIME OF LATEST TRANSACTION

▲ 00 control field *

006 ? - FIXED-LENGTH DATA ELEMENTS--ADDITIONAL MATERIAL CHARACTERISTICS

▲ 00 fixed length control field

007 ? - PHYSICAL DESCRIPTION FIXED FIELD--GENERAL INFORMATION

▲ 00 fixed length control field

008 ? - FIXED-LENGTH DATA ELEMENTS--GENERAL INFORMATION

▲ 00 fixed length control field *

020 ? - INTERNATIONAL STANDARD BOOK NUMBER

▲ a International Standard Book Number

▲ c Terms of availability

100 ? - MAIN ENTRY--PERSONAL NAME

▲ a Personal name

- **Citizen Centric Services as available on the website of High Court.**

1). The following citizen centric services are being provided to the Advocates and general public by the High Court of H.P. through High Court Website:-

Sl. No.	Citizen Centric Services being provided by High Court of H.P.
1.	Case Status;
2.	Availability of cause list on internet;
3.	Court Orders / Judgments

4.	Live Digital Display System about the cases being taken up before the Hon'ble Courts
5.	Android Application for accessing information on Digital Display system through Android based smart phones
6.	R.T.I. Information;
7.	Public Notices etc;
8.	Common Objections;
9.	Objection Module where under System generated scrutiny objections are conveyed to the Advocates through SMS and e-mail;
10.	Certified Copy ready Module where under system generated Certified copy ready status is being sent through email and SMS to all the Advocates and litigants, if mobile numbers and e-mail ids are got registered by them.
11.	Common forms used in H.P. High Court;
12.	Case Status Mobile App.
13.	Offline Case Filing Module;
14.	Web based Grievance Redresses and Suggestions Mechanism.
15.	Mediation messages on the Digital Display Boards
16.	Kiosks in Bar Room and main entrance of Court building providing different information about courts cases.
17.	SMS Services
18.	Web based e-Court fee System.

- **E-Court Fee System in High Court of Himachal Pradesh & District Judiciary**

The Government of H.P. has already amended H.P. Court Fee Act and also framed e-stamping Rules, 2015 besides entering into an agreement with M/s Stock Holding Corporation of India (SHCIL). The e-Court Fee System in High Court of Himachal Pradesh has already been inaugurated and made functional. Notification regarding authorization of all the Stamp Vendors in Himachal Pradesh as "Authorized Collection Centres" of Stock Holding Corporation of India for electronic payment of court fee has been issued by the State Government. Facility has been introduced on website of High Court as well as District Courts, whereby one can pay court fee electronically.

- **Creation of Cadre of Information Technology Staff**

- 1). The Government of Himachal Pradesh has created 13 posts of Technical Manpower (one post of Computer Programmer and 12 posts of Assistant Programmers).

- 2). The recruitment and promotion for filling up aforesaid posts have been framed for one (1) post of Computer Programmer in High Court of H.P. and 12 posts of the Assistant Programmers.
- 3). The matter with regard to creation of more Technical posts is pending with the Government of Himachal Pradesh, Shimla.
- 4). The matter with regard to absorption of technical manpower engaged under Phase- I of eCourts Project and continued thereafter is also pending with the State Government.
- 5). Out of 10 posts of technical manpower provisioned under Phase- II of eCourts Project, 07 posts were filled up but out of these seven technical persons 04 have resigned and only 03 are working. The process for filling up of vacant posts has been initiated.

- **Mobile Applications :**

- 1). Android Based Mobile Application for the High Court of H.P. has been developed by NIC and Computer Branch of High Court of Himachal Pradesh. The said application is having following features:
 - i) Case Search Facility based on:
 - (a.) Case Number
 - (b.) Party's Name
 - (c.) Lawyer's Name
 - ii) The mobile app is bilingual, i.e. it can be converted to Hindi and English language.
 - iii) Unique facility of storage of case information details and viewing the same in Offline mode.
 - iv) Facility of downloading Orders/Judgments
 - v) Automatic alerts for next date of listing in respect of cases saved with the aid of the App.
 - vi) Facility of adding more cases in the tally of saved cases and also for alerts.
 - vii) Causelists.
 - viii) Digital Display Boards.
 - ix) Advocate Directory.
 - x) Direct access to District Court website.
 - xi) This App is very useful for Litigants, Lawyers and General Public.



- 2). NIC Unit of High Court of Himachal Pradesh, State NIC Centre and Computer Branch of High Court of Himachal Pradesh have also developed Mobile Application on Personal Management Information System (PMIS) of the Judicial Officers, Officers/ Officials of High Court of Himachal Pradesh.
- 3). Personal Management Information System (PMIS) has been implemented in High Court of Himachal Pradesh & the same is likely to be implemented in District Judiciary.
- 4). Web based Grievance Redressal and Suggestions Mechanism has been developed and commissioned.

Migration of Data from CMIS to High Court CIS 1.0:

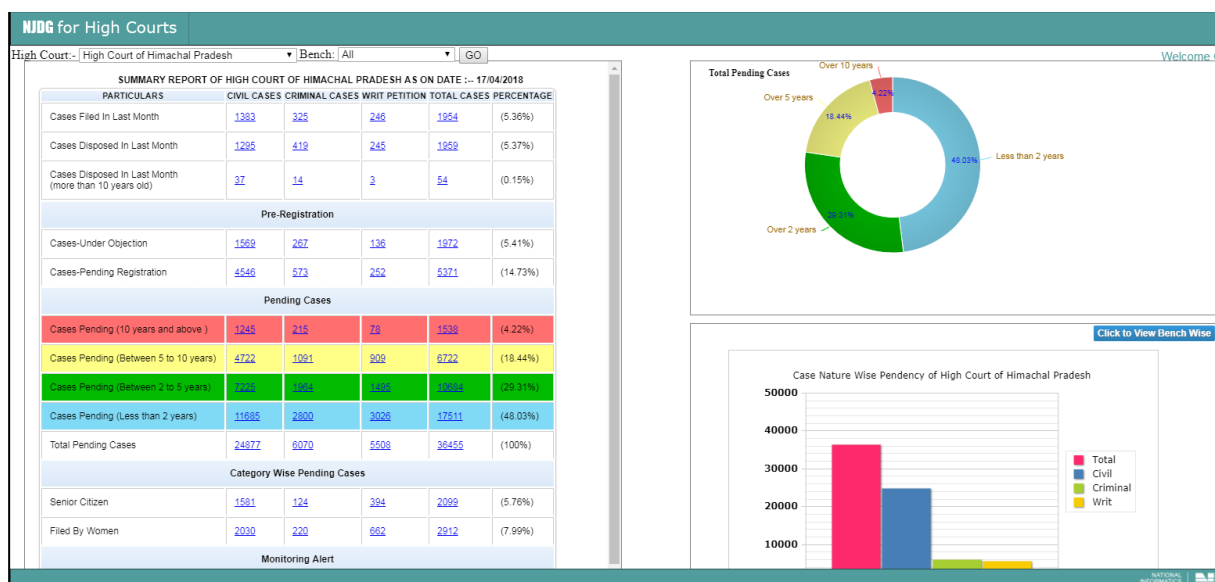
The case data has been successfully migrated from CMIS Software to High Court CIS 1.0 Software developed by NIC Pune under the auspices of Hon'ble Committee. This was daunting task but the dedicated efforts of our Technical Team and crucial planning of the Central Project Co-ordinator in close co-ordination with the Registrar (Judicial) made it possible. Not only we have successfully migrated to High Court CIS 1.0, but we have also developed more than twenty periphery modules.

Our success in this regard can be judged from the fact that High Court of Jammu & Kashmir, Punjab & Haryana High Court, High Court of Gauhati, High Court of Jharkhand, High Court of Uttrakhand, High Court of Rajasthan and High Court of Judicature at Allahabad have requested to share the Periphery Modules, so that such best practice may be implemented in the respective High Courts. Our latest achievement in this regard is the integration of

Display Boards with High Court CIS 1.0 giving three different instances of the display inside and outside Court Rooms, as well as on the website.

Benefits of implementation of CIS 1.0 in High Court:

- Migration from CMIS to High Court CIS 1.0 has helped to attain uniformity of software throughout country.
- Case data is replicated on daily basis and can be viewed on public portal i.e. National Judicial Data Grid (NJDG). Total count of pending cases and monthly disposed off cases are available on NJDG portal. Case type wise and age wise graphical chart of pending cases is also available on the Dash Board of NJDG portal. Screenshot is given below:



High Court CIS 1.0 display module has been customized for automatic calling and completion of cases. A facility has been provided on High Court and Subordinate Court website wherein real time data of Digital Display Boards is reflected on the High Court and Subordinate Court website. As soon as the case is called from CIS, the same is reflected on local Digital Display Boards and simultaneously, the same Digital Display Board data is reflected on High Court and Subordinate Court websites.

Screenshots given below:

12-12-2017			High Court of Himachal Pradesh, Shimla			11:16 am		
Court No.	Cause List Reference	Counsel of Parties (Mr/Ms)	Court No.	Cause List Reference	Counsel of Parties (Mr/Ms)			
CJ	-----		7	SB 906	ASHOK K			
1	SB 533	TA JANESH GU	8	Not In Session				
2	SB 514		9	-----				
3	DB 516	OUR VERMA, A	10	-----				
4	SB P-1	THORE, AG	11	-----				
5	Not In Session		12	-----				
6	SB 522	INGH, DIVYA	13	-----				

- Record Room Module is also available in High Court CIS 1.0 and entries are being made by the Record Keeper therein.
- District Judiciary case detail can directly be fetched from District Court CIS to High Court CIS by using CNR number.
- Following Management Reports are available in High Court CIS 1.0:
 - Section wise Pendency Report;
 - Stage wise Pendency Report;
 - Judge wise Disposal Report;
 - Section wise Disposal Report.
- Backlog Record can also be entered using Legacy Data Module.
- Automatic merging of Cause List Module has been developed by the Technical Team of High Court.
- Through Appeal Filing module data from Trial Courts CIS 3.1 can be fetched to HC CIS based upon CNR number or Case No. The entire case details such as party names, address, CNR NO, Case No, Date of decision, etc. will be fetched from the Trial Courts CIS 3.2, thereby reducing the time and labor of filing users for making entries in the software.
- A functionality has also been developed in CIS HC by the technical team of High Court wherein copy of Final Orders/Judgments for Trial Court cases whose appeal are filed in High Court will be automatically mailed to Judicial Officers of the concerned Trial Court after the case is Disposed off at High Court.

COURT FEE CALCULATOR

- Case type wise Court Fee Calculator for civil and criminal cases has been developed and made available on the High Court Website.

LIMITATION CALCULATOR

- Case type wise Limitation Calculator has been developed for civil and criminal cases and made available on the High Court Website.

FILE INSPECTION MODULE

File Inspection SMS module has been developed by the technical team of this High Court. It consists of two parts:

- **File Inspection Apply:** Whenever any request for file inspection is received, the inspection user will enter the required information in the inspection apply module.
- **File Inspection Ready:** When the file is ready to be inspected, the inspection user can select the date on which the requested user can visit the High Court and inspect the file. The requested user is informed about the date of inspection through SMS.

eGate Pass

A module has been developed by the technical team of this High Court for online generation of gate pass. The eGate Pass is hosted on website of High Court where users can generate the eGate pass. An additional feature of QR Code has also been added to eGate Pass to provide authenticity.

e-Filing

eFiling Application has been successfully tested and made live for High Court of Himachal Pradesh along with the District Judiciary of Himachal Pradesh for all Case Types. Further, it was notified that the cases to be filed by the States and Union Government, in High Court as well as District Judiciary w.e.f. 05.01.2022, onward shall be filed through e-filing only. As on 30.03.2022, a total of 446 cases has been efiled for High Court of H.P. and 23070 cases has been efiled for District Judiciary.

Further, a training was also imparted to the Clerks of Ld. advocates to facilitate/guide them regarding eFiling Application, online Certified Copy module and Pagination System.



A view of training being imparted to clerk's of Id. advocates

eSeva Kendra

eSevaKendras have been established in the High Court of Himachal Pradesh and District Court, Shimla for providing assistance related to eFiling of cases and other online services pertaining to Court.

Inter-Operable Criminal Justice System (ICJS)

Interoperable Criminal Justice System (ICJS) aims to integrate CCTNS (Crime and Criminal Tracking Network and System) project with eCourts and ePrisons database in the first instance and with other pillars of judiciary like forensic labs, prosecution and juvenile homes etc. The first pillar of ICJS i.e. integration of Courts with CCTNS has been accomplished. The data along with documents pertaining to FIR and Charge sheets will be directly consumed in DC CIS 3.2 from the CCTNS server. District Court, Shimla has been selected as pilot location for testing and implementation of ICJS module.

Virtual Court

The Court of Mobile Traffic Magistrate Shimla and Kinnaur at Shimla, has already been designated as Virtual Court for testing purpose. Virtual Courts at <https://vcourts.gov.in> is a leap in eCommittee's attempts to facilitate judicial services to general public. The system brings the court at home – allowing public to access case details, pay fine and close case, all from home. The online service is accessible from all types of devices with internet connection. Virtual Courts is truly online court- completely eliminating the need for physical presence of litigant and judge in the court. The system has provided several benefits including noticeable drop in pendency of cases, reduced resource requirement and comfort of working at convenient time and location. A separate D.D.O. Code has also been created for Virtual Court so designated. Testing of the Virtual court has been done successfully. Justice Mohammad Rafiq, Hon'ble Chief Justice of Himachal Pradesh High Court inaugurated the Virtual Court for Shimla district on 30 December 2021 in an august ceremony at District Courts Complex, Shimla. All the Hon'ble Judges of High Court were also present on this occasion.



A View of the Inaugural Ceremony

Apart from Virtual Court, the technical team of the High Court of H.P. has prepared a script / program for auto generation of SMS to offender whose Mobile number is entered in CIS Software. The offenders whose Mobile number is available in CIS can be informed of the proposed fine by way of SMS also containing a link of ePay portal where the offender may pay proposed fine and get the challan disposed.

Certified Copy Module

An online application has been developed by the technical team of the High Court of Himachal Pradesh for High Court and District Judiciary of Himachal Pradesh through which Advocates can apply online for Certified Copy. The Certified Copy module is integrated with Stock Holding Corporation Limited and the application and document fee can be paid online. SMS indicating the Certified Copy status (apply, ready) is sent to the concerned Advocate's mobile number. The link for online certified copy module is provided on High Court/Subordinate Court Website.

Updated Certified Copy Module

Certified copy module has been updated to resolve the issue of delay in supply of certified copy due to physical movement of case files. Through this module, the memo of party page pertaining to the concerned order will be automatically generated and the same can be directly printed.

Certified Copy Issue
Search Case

*TYPE: Filing No. Case No.
*Case Type:
*Case No: *Case Year:
*Order/Judgement:

Memo Of Parties

Copy of Order/Judgement/Passed/Delivered/Recorded on ___ by the Single bench consisting of HON'BLE MR. JUSTICE VIVEK SINGH THAMUR, Judge in CWPOA/5726/2019

1. Lakhvinder Kumar S/O Yashwant Singh Thakur R/O VPO Lehn Sarel Tehsil Ghumarwin Distt. Bilaspur HP Applicant Plaintiff Petitioner Appellant

Versus

1. State of H.P. Secretary Education to the Govt. of HP Shimla
2. Director Elementary Education Himachal Pradesh, Shimla 171001
3. Deputy Director Elementary Education, Bilaspur H.P.
4. Director of Sank Welfare, Ex-Servicemen Employment Cell, Hamirpur H.P. Respondent Non-Applicant Defendant

COPY OF ORDER/JUDGEMENT/STATEMENT(S) RECORDED/ISSUES IN THE HIGH COURT OF HIMACHAL PRADESH

Date	Order No	No. of Copies Issued	Action
15-08-2020 Print Memo Of Party	1	10	Issue Copy
04-09-2020 Print Memo Of Party	2	5	Issue Copy
08-11-2020 Print Memo Of Party	3	3	Issue Copy

Option to choose details for printing on memo of part page.

Copy of Order/Judgement/Passed/Delivered/Recorded on **15-06-2020** by the **Single bench** consisting of **HON'BLE MR. JUSTICE TARLOK SINGH CHAUHAN, HON'BLE MS. JUSTICE JYOTSNA REWAL DUA** Judge in **CWPOA/5726/2019**

1. Lakhvinder Kumar S/O Yashwant Singh Thakur R/O VPO Lehn Sarel Tehsil Ghumarwin Distt. Bilaspur HP
..... Applicant

Versus

1. State of H.P, Secretary Education to the Govt. of HP Shimla
2. Director Elementary Education Himachal Pradesh , Shimla 171001
3. Deputy Director Elementary Education , Bilaspur H.P.
4. Director of Sank Welfare, Ex-Servicemen Employment Cell , Hamirpur H.P.
..... Non-Applicant / Defendant

COPY OF ORDER/JUDGEMENT/STATEMENT(S) RECORDED/ISSUES IN THE HIGH COURT OF HIMACHAL PRADESH

Memo of party page.

Computer Programme for Pagination

A computer programme/software for pagination has been customized at High Court of Himachal Pradesh. The aim of this programme is to ensure that pleadings filed by different parties should conform to the pagination of the court file and that the pagination should not be duplicated by different respondents. The computer programme/software will facilitate Advocates and the Hon'ble Court in locating the relevant pleading and the documents referred by Advocates for the parties during the course of arguments/hearing.

Register	Stamp	Case Type	Case No *	Year	Submit
<input type="checkbox"/>	<input type="checkbox"/>	Civil Writ Petition (CWP)	12	2021	Search
Case Details					
Filing No:	CWP/40217/2019	Filing Date:	27-12-2019		
Registration No:	CWP/12/2021	Registration Date:	01-01-2021		
CNR No:	HPHC010475452019	Status:	Pending		
Case Classification:		Remarks:	ACTUAL DATE		
Last Pagination No.:	10	Next Pagination No.:	11		
Case Status					
First Hearing Date:		Next Hearing Date:	Next Date Is Not Given		

Pagination status displayed on High Court website.

Automatic email of final Orders/Judgments to Trial Courts for which Appeals are filed in High Court

A functionality has been developed in CIS HC by the technical team of High Court wherein copy of Final Orders/Judgments for Trial Court cases whose appeal are filed in the High Court will be automatically mailed to Judicial Officers of the concerned Trial Court after the case is disposed off at High Court.

COMPUTERIZATION OF DISTRICT COURTS

Computer Hardware (under e-Courts Project, Phase- I

Under the National Action Plan for Computerization (Phase-I of e-Courts Project) as framed by Hon'ble e-Committee, Supreme Court of India, 100 Trial Courts have been computerized whereas LAN was laid in 101 Court Rooms. Under Phase- II of the e-Courts Project, additional hardware to the 100 covered courts and new hardware to 49 uncovered courts has been provided. LAN has also been laid in the 49 uncovered courts.

Digitization / Scanning of Judicial Record of District Judiciary in H.P

There is a provision for digitization of the old judicial record of the District Judiciary by provisioning funds under the 14th Finance Commission. But the State Government has not provided any funds for the purpose despite a demand of 14 crores to be spent over a period of five years. A Detailed Project Report in this regard has been submitted to the State Government for allocation of funds to the tune of ₹ 1.5 crore for scanning and digitization of judicial record in the High Court and ₹10.8 crore for scanning and digitization of judicial record of District Judiciary. But no funds have been received from the State Government for the said purpose.

Digital Signature Certificates

The Digital Signatures Certificates for all the Judicial Officers in Himachal Pradesh have been purchased. The guidelines for optimum use of Digital Signature Certificates

for Judicial Officers have been prepared and circulated amongst Judicial Officers.

Connectivity:

Initially, Leased line connectivity had been provided in ten (10) headquarters of Civil & Sessions Divisions out of total eleven (11) Civil & Sessions Divisions. HIMSWAN connectivity has been provided at Civil & Sessions Division, Shimla. VPNoBB connectivity has also been provided to District Judiciary. eCourts WAN connectivity under Phase- II of eCourts Project has also been provided to 43 Court Complexes. Leased line connectivity provided in ten (10) headquarters of Civil & Sessions Divisions has been disconnected after eCourts WAN connectivity has been made functional. The matter has been taken up with the Hon'ble Committee, Supreme Court of India, for providing eCourts WAN connectivity in the newly opened courts of Civil Judges at Banjar, Tissa, Shilai, Jhandhuta, Jaisinghpur and Thunag however the same is in process.

Software for GAD Branch

A new Software has been designed and developed by the technical team of High Court. This software generates reports related to construction and infrastructure status of various Courts in the Subordinate Judiciary.

The Software consists of two different type of users:-

- 1) **Subordinate Court User:-** These users will have to enter the details regarding the infrastructure of their concerned Subordinate/District Court. District Court user can either save the entered data in draft or can finally submit the data after final checking.
- 2) **GAD Branch User at High Court:-** Once the data has been entered and successfully submitted by District Court Users, the same would be accessible to this user. The GAD Branch user can generate the reports regarding CJ/CM conference.

• Process Re-Engineering

- 1). In compliance to the directions of Hon'ble e-Committee, Supreme Court of India, two Committees were constituted to carry out the work of Process Re-engineering to reorganize, restructure and simplify the processes and procedures to make them more litigant friendly and to speed up the disposal of cases.
- 2). The Process Re-engineering Report has already been submitted to Hon'ble e-Committee, Supreme Court of India, New Delhi vide email communication dated

31.01.2014 and such report has been graded as excellent by Hon'ble e-Committee vide demi official letter dated 3.2.2014.

- 3). On the basis of observations made by Hon'ble Mr. Justice Madan B. Lokur, in his Lordship's demi official letter dated 3.2.2014, the exercise for amendment of the relevant Rules as per the Process Re-engineering Report is almost at the final stage and the same were exhibited in a **“Workshop on Process Re-Engineering exercise”** of the Registrars General of High Courts and Law Secretaries of States, held on **11th June, 2016** in Vigyan Bhawan, New Delhi.
- 4). Vide DO letter dated 11.06.2016 received from Hon'ble Mr. Justice Madan B. Lokur, Judge, Hon'ble Supreme Court of India, New Delhi, 2 to 4 chapters in total of the civil court and criminal court rules has been directed to be drafted by each High Court for preparation of Model Rules and the Rules on the topics allotted to High Court of Himachal Pradesh have been drafted by Worthy Registrar General and Worthy Registrar (Rules), High Court of Himachal Pradesh and have been sent to Hon'ble e-Committee and the same have been amended vide notification dated 05.01.2017.

Drupal Template:

Web sites have been launched in Drupal Template at the headquarters of all the eleven Civil & Sessions Divisions wherein various information & citizen centric services are being provided to the Advocates & general public. Certified Copy Status Report and Pendency Reports are being generated from CIS.

Screen shot of the Home page of the Website of District Courts, Shimla.



Case Information System (CIS):

The Case Information System (C.I.S) Pune Version) has been implemented in Trial Courts, (99 Court Establishments as per NJDG) in Himachal Pradesh.

Migration of Data to CIS 3.2:

The exercise for migration of Data from C.I.S. 1.0 (Pune Version) to C.I.S. 2.0 N.C and then from CIS 3.0 to CIS 3.1 and now to 3.2 version has been successfully completed and the data has also been replicated on NJDG at all the locations in Himachal Pradesh.

Software for Generating Monthly Statement Reports of Trial Courts:

A Software named Vigilance Software has been developed by the Technical Team of High Court comprising following 25 different Reports for Trial Courts. The procurement of approved number of hardware and daily replication of data on eCourts Portal and National Judicial Data Grid (NJDG) has made it possible for us to analyze the data, but only Establishment wise. There is no provision in NJDG whereby the data may be analyzed District wise or in consolidated form for the entire State. In order to achieve this purpose, we have dedicated a Server at High Court where the data of all Establishments is daily copied from the NJDG Server, and then consolidated by way of "Schema". Twenty-five reports have been developed to provide information to Vigilance and Inspection Branch for monitoring and policy making.

- 1) **District wise Reports-** User can see entire case data of pending cases of the concerned District. Further the report can be filtered- Judge wise, Case Type wise, Year wise etc. Details of the case data can also be viewed as below:

Pendency Status			
Select District	Select JudgeName	Select Case Type	
Bilaspur	All	Case Count - All Case Types	
Cases Count (All)			
Pendency			
Civil	Criminal	Total	
6911	7756	14667	
Year Wise(Pending-> Total)			
Pendency			
Judge Name(Court Name)	Civil	Criminal	Total
Sh. Bahadur Singh(District and Sessions Court, Bilaspur)	524	137	661
Sh. Vikas Bhardwaj(District and Sessions Court, Bilaspur)	196	213	409
Sh. Vikas Bhardwaj(Addl. District and Session Court, Ghumarwin)	289	85	374
Smt. Parveen Chauhan(Judicial Magistrate, Bilaspur)	0	2289	2289
Ms. Monika Sombal(Judicial Magistrate, Bilaspur)	0	2671	2671
Ms. Upasna Sharma(Judicial Magistrate, Ghumarwin)	1	960	961
Ms. Deepika Thakran(Judicial Magistrate, Ghumarwin)	0	510	510
Sh. Sandeep Singh Sihag(Judicial Magistrate, Ghumarwin)	0	895	895
Ms. Upasna Sharma(Civil Judge, Ghumarwin)	1094	0	1094
Ms. Deepika Thakran(Civil Judge, Ghumarwin)	1221	0	1221

Case Details (Sh. Vikas Bhardwaj) (Year Wise)					
Show	10	▼	entries	Search:	<input type="text"/>
Sr. No.	Year	Civil	Criminal	Total	
1	2011	4	0	4	
2	2012	2	0	2	
3	2013	10	3	13	
4	2014	19	5	24	
5	2015	16	5	21	
6	2016	51	19	70	
7	2017	110	36	146	
Showing 1 to 8 of 8 entries					
<input type="button" value="Previous"/> <input type="button" value="1"/> <input type="button" value="Next"/>					

Case Details(Pending->Both->2017)					
Show	10	▼	entries	Search:	<input type="text"/>
Sr No	Case No	Pet Name	Res Name	Reg Date	
1	Civil Misc. Petition/1/2017	State of HP	Munshi Ram	2017-01-08	
2	NDPS Act/1/2017	State of HP	Rakesh Kumar	2017-01-08	
3	M.A.C.T/1/2017	Basant Singh	Naveen Kumar alias Bobi	2017-01-08	
4	Hindu Marriage Act/1/2017	Rajani Devi	Joginder Pal	2017-01-08	
5	Civil Appeal/2/2017	Rikhi Ram	Sunka Ram	2017-01-08	
6	Civil Appeal/3/2017	State of HP	Munshi Ram	2017-01-08	
7	Session Trial/39/2017	State of HP	Amin Chand alias Bunty	2017-01-10	
8	Hindu Marriage Act/4/2017	Jyoti Devi	Som Dutt	2017-01-21	
9	Criminal Misc. Petition/1/2017	Jasbeer Singh	Piar Singh	2017-02-02	
10	Criminal Misc. Petition/2/2017	Rattan Singh	State of HP	2017-02-02	
Showing 1 to 10 of 146 entries					
<input type="button" value="Previous"/> <input type="button" value="1"/> <input type="button" value="2"/> <input type="button" value="3"/> <input type="button" value="4"/> <input type="button" value="5"/> <input type="button" value="..."/> <input type="button" value="15"/> <input type="button" value="Next"/>					

Case Details			
Case Type	Civil Misc. Petition		
Filing No	7/2017	Filing Date	08-01-2017
Registration No	1/2017	Registration Date	08-01-2017
CRN No	HPBI020000122017		
Case Status			
First Hearing Date	10-01-2017		
Next Hearing Date	09-05-2018		
Stage of Case	-----		
Court No & Judge	Sh. Vikas Bhardwaj(Addl. District & Sessions Judge)		
Petitioners & Advocates			
Petitioners	State of HP		
Advocates	Sh. Vinod Bhardwaj Dy. DA		

- 2) **Tailor Made Reports-** it consists of 22 different types of pendency, institution and disposal reports of Trial Court eg. District wise pendency, Age wise pendency, Category wise pendency, Status of Case etc.

The Reports are based on the data available on NJDG as on 12-12-2017

Report No	Report Title
Report 1	Statement showing the pendency of Civil & Criminal cases in Session Courts in Himachal Pradesh
Report 2	Statement showing the pendency of Civil & Criminal Cases in the Magisterial Courts Courts in Himachal Pradesh
Report 3	Statement showing the pendency of Civil & Criminal Cases in all Civil and Sessions Divisions in Himachal Pradesh
Report 4	Statement showing the Institution and Disposal of Civil & Criminal cases in all Civil and Sessions Divisions in Himachal Pradesh from date to date
Report 5	Statement showing the Institution and Disposal of Civil & Criminal cases in the Session Courts in Himachal Pradesh as on date
Report 6	Statement showing the Institution and Disposal of Civil & Criminal cases in the Magisterial Courts in Himachal Pradesh from date to date
Report 7	District wise Institution and Disposal of cases in all Civil and Sessions Divisions of Himachal Pradesh during a Year
Report 8	Age wise Status of Cases in Terms of Pendency in all Civil and Sessions Divisions of Himachal Pradesh
Report 9	District wise Institution and Disposal of cases during the year in Himachal Pradesh
Report 10	Age wise Status of Cases in Terms of Pendency in Himachal Pradesh(Consolidated)
Report 11	Bifurcation of Pending cases in Himachal Pradesh(Consolidated)

- 3) **Monthly Statement Report-** The monthly Statement Reports for each District, Judge wise and Court wise can now be generated in the High Court on the basis of NJDG data. A Software Programme has been developed by the Technical Team of High Court for generating monthly statement reports of Trial Courts and same has been shared with the Technical Team of all District Courts. The District & Sessions Judges have been requested to generate monthly Disposal Statements/reports from December, 2017 to February, 2018 and check the generated reports with the Manual Statements/reports.

District

CIVIL		CRIMINAL	
Establishment	Court Name	Establishment	Court Name
<input type="text" value="Civil Judge Senior Division, E"/>	<input type="text" value="2 - Smt. Parveen Chauhan - I"/>	<input type="text" value="Civil Judge Senior Division, E"/>	<input type="text" value="2 - Smt. Parveen Chauhan - I"/>

As on Date:

Statement Showing Court-wise/District-wise number of Civil and Criminal Cases instituted, disposed off and pending for the month of March, 2018																		
Name of Presiding Officer: Smt. Parveen Chauhan, Civil Judge (Sr. Division)-cum-Chief Judicial Magistrate.																		
Number of working days during the month:																		
Number of witnesses examined:																		
Nature of Cases	Age-wise Pendency of cases from last month												Total of cols.(a) to (l) of column No.2	Institution during the month			Total of (a) to (c) of Column N.4	Total number of cases for disposal column N. 3 & 5
	2018	2017	2016	2015	2014	2013	2012	2011	2010	2009	2008	2007 and above		New Institution	By restoration	By Transfer		
	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)		(a)	(b)	(c)		
1	2											3	4			5	6	
CIVIL WORK(District or Court-wise)																		
1. Civil Suits	25	171	109	108	96	50	34	21	9	3	0	1	627	13	0	0	13	640
2. Rent Cases	0	0	0	2	1	1	0	0	0	0	0	0	4	0	0	0	0	4
3. Arbitration Case	0	0	0	0	0	0	1	0	0	0	0	0	1	0	0	0	0	1
4. Succession Act	1	0	1	0	0	0	0	0	0	0	0	0	2	0	0	0	0	2
5. Executions	5	10	27	26	21	17	10	7	12	0	0	0	135	2	0	0	2	137
6. Hindu Law Cases	1	6	3	3	2	0	0	0	0	0	0	0	15	0	0	0	0	15
7. WC Act/ Payment of Wages Act	2	3	14	10	4	5	6	3	4	0	0	0	51	1	0	0	1	52
8. Guardian & Ward Act	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9. Other Cases	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	1	1
10. Miscellaneous Application	35	170	66	51	27	16	9	3	3	0	0	0	380	17	0	0	17	397
TOTAL	69	360	220	200	151	89	60	34	28	3	0	1	1215	34	0	0	34	1249
CRIMINAL WORK(District or Court-wise)																		
1. Police Challans	43	86	102	94	127	151	116	142	106	61	6	1	1035	5	0	0	5	1040
2. Local & Spl Laws	3	6	8	1	2	2	4	1	5	8	0	0	40	3	0	0	3	43
3. Exciise Cases	10	21	22	25	15	11	16	24	11	3	0	0	158	2	0	0	2	160
4. ND & PS Cases	2	10	2	0	2	5	2	5	2	0	0	0	30	0	0	0	0	30
5. Complaint Cases	9	19	6	4	9	4	2	2	4	1	0	0	60	0	0	0	0	60
6. NI Act Cases	29	138	135	63	59	41	16	14	6	2	1	0	504	8	0	0	8	512
7. Food Cases	0	0	0	0	0	0	0	0	3	3	0	0	6	0	0	0	0	6
8. Forest Cases	0	0	0	0	1	0	0	1	2	1	1	0	6	0	0	0	0	6
9. 125/127 CRPC Cases	3	16	12	12	10	2	0	1	0	0	0	0	56	0	0	0	0	56
10. Domestic Violence Act	3	12	6	5	7	1	2	0	0	0	0	0	36	1	0	0	1	37
11. Bail Applications	1	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	1
12. Executions	4	11	20	8	7	2	1	2	1	3	0	0	59	1	0	0	1	60
13. Petty Cases	0	0	0	0	0	0	0	0	0	0	0	0	0	38	0	0	38	38
14. Other Cases	14	42	32	16	69	66	25	9	1	2	0	0	276	1	0	0	1	277
15. Miscellaneous Application	17	21	12	11	8	1	0	1	1	0	0	0	72	33	0	0	33	105
16. Juvenile Cases	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	138	382	357	239	316	286	184	202	142	84	8	1	2339	92	0	0	92	2431
GRAND TOTAL	207	742	577	439	467	375	244	236	170	87	8	2	3554	34	0	0	126	3680

4) **Consolidated Monthly Report-** This Report displays opening balance, institution, disposal and pendency for the selected month for all the Districts.

- After successful completion of this exercise necessary direction will be issued to switch over from manual to automatic generation of Monthly Disposal Statement.

- **Upgradation of RAM:**

In 79 Desktop PCs installed in the Distirct Judiciary in H.P., which were having lesser RAM, have been upgraded upto 2 GB RAM.

Citizen Centric Services available on the website of District Courts:

- 1). Various citizen centric services such as auto generation of cause list and its availability on the internet, case status, availability of copies of orders and judgments on the internet, auto-generation of filing receipts etc. are being provided to the litigating public before the Trial Courts in the State of Himachal Pradesh, where computerization has been done under Phase-II of the e-Courts Project.
- 2). It is the mandate of e-Courts Mission Mode Project to provide following 28 Citizen Centric Service to the litigant public:

Sl. No	CITIZEN CENTRIC SERVICES
1.	Filing at Judicial Service Center and generation of Receipt containing filing number.
2.	Scrutiny objections on the District Court website.
3.	Push SMS and E-mail facility on filing, registration, listing and disposal of case.
4.	Single Window at JSC for filing of process fee and collection of dasti summons. E-mail summons can be generated in E-Filing Cases.
5.	Only date of framing of issues is to be reflected. Framing of issues is to be done by Ld. Judge.
6.	Copies of Oral Evidence to be uploaded on Website, which can be downloaded by Lawyers/ Parties after using login and password for their cases.
7.	Template for writing judgments giving name of court, title, name of parties and date of filing of case
8.	Judgments are to be stored in the Server, which can be accessed by authorised persons from Court or Copying Agency etc.
9.	Judgment on Internet Website with search facility.
10.	Forms for generation of statements, reports and the registers in the prescribed format (abiding by the statutory requirement) to be made available on Intranet (LAN)
11.	Automatic Caveat Checking
12.	Cause List on Internet (with Searchable Fields)
13.	Court Diaries and Court Calendars to be generated automatically.
14.	Performance Assessment Reports to be generated on set parameters accessible to the Judge himself and his inspecting judges.
15.	
16.	Case Status on Internet:

	<ol style="list-style-type: none"> 1. Case number 2. Case Title 3. Advocate name 4. Court 5. Location of Court 6. Next date of hearing 7. Purpose of listing 8. How many times listed for same purpose? 9. Lower Court details, if matter is pending in higher court. 10. If matter is pending in lower court then information as to whether any appeal /revision has been filed against an order/judgment.
17.	Orders are to be stored in the Server, which can be accessed by authorised persons from Court or Copying Agency etc.
18.	Daily Orders on Internet Website.
19.	<p>Website for each District Court</p> <ol style="list-style-type: none"> 1. Websites for each district court. Templates to be designed by NIC. 2. Updation and customization should be user friendly. 3. Court Forms, requirements and sample pleadings for litigants and lawyers on Website. 4. Judges on Leave information on District Court Website with details about Courts handling his/her cases. 5. List of Police stations with concerned Courts to which those police stations are attached. 6. Information regarding pecuniary and territorial jurisdiction of courts. 7. Information on Section/Act wise punishment and bailable/ non-bailable.
20.	Appointment of Court Commissioners and filing of Reports by them. Accounting software (In periphery) to take care of expenses incurred and commission fee paid.
21.	21. Complete Court Fee structure on the district court website.
22.	
23.	23. Applying and supplying of Certified Copies at JSC with status on the District Court Website.
24.	
25.	Written Statement Filing Date/ Status on the Internet.
26.	LAN based Enquiry Kiosks at Court Complexes and web-based Kiosks at other important places

	in districts/ Talukas.
27.	SMS & IVRS Enquiry Facility
28.	Digitally signed release/bail orders /stay orders be sent to Jails/departments to ensure immediate compliance.

3). A network of different Citizen Centric Services has been created in the Trial Courts in the High Court of Himachal Pradesh, Sl. No. wise detail whereof is given here-in-under Court Complex wise, as on 31.03.2022:

SN	Court Complex	Judicial District Name	No of Citizen Services Started	Citizen Centric Services Started
1	Bilaspur.	Bilaspur	14	1,3,4,6,7,8,9,10,11,15,16,17,18,21
2	Ghumarwin.		13	1,4,6,7,8,9,10,11,15,16,17,18,21
3	Chamba.	Chamba	13	1,3,6,7,8,10,11,15,16,17,18,21,25
4	Dalhousie.		12	1,6,7,8,10,11,15,16,17,18,21,25
5	Hamirpur.	Hamirpur	15	1,3,4,6,7,8,9,10,11,13,15,16,17,18,21
6	Barsar.		14	1,4,6,7,8,9,10,11,13,15,16,17,18,21
7	Nadaun .		0	0 (Not covered under e-Courts Project)
8	Dharamshala.	Kangra	13	1,2,3,4,7,8,10,11,13,15,16,17,18,23
9	Kangra.		13	1,2,4,7,8,10,11,13,15,16,17,18,23
10	Dehra.		13	1,2,4,7,8,10,11,13,15,16,17,18,23
11	Palampur.		13	1,2,4,7,8,10,11,13,15,16,17,18,23
12	Nurpur.		0	0 (Not covered under e-Courts Project)
13	Bajjnath.		13	1,2,4,7,8,10,11,13,15,16,17,18,23
14	Jawali.		13	1,2,4,7,8,10,11,13,15,16,17,18,23
15	Indora.		13	1,2,4,7,8,10,11,13,15,16,17,18,23
16	Kinnaur at Rampur.	Kinnaur at Rampur	14	1,3, 6, 7, 8, 11,13, 14. 15, 16, 17, 18,21,25
17	ReckongPeo.		13	1,6,7, 8, 11, 13,14, 15, 16, 17,18,21,25
18	Anni.		13	1,6,7,8,11,13,14,15,16,17,18,21,25,
19	Kullu.	Kullu	18	1, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 15,16,17,18, 21, 26, 28.
20	Manali.		16	1, 4, 6, 7, 8, 9, 10, 11, 12, 13, 15, 16, 17, 21, 26, 28.
21	Keylong		0	0 (Not covered under e-Courts Project)
22	Mandi.	Mandi	15	1,3,4,6,7,8,10,11,13,15,16,17,18,21,23
23	Sunder Nagar.		14	1,4,6,7,8,10,11,13,15,16,17,18,21,23
24	Gohar.		14	1,4,6,7,8,10,11,13,15,16,17,18,21,23
25	Karsog.		14	1,4,6,7,8,10,11,13,15,16,17,18,21,23
26	Joginder Nagar.		14	1,4,6,7,8,10,11,13,15,16,17,18,21,23
27	Sarkaghat.		14	1,4,6,7,8,10,11,13,15,16,17,18,21,23
28	Shimla.	Shimla	0	0 (Not covered under e-Courts Project)
29	Theog.		11	6,7,8,10,11,13,15,16,17,18,21
30	Chopal.		11	6,7,8,10,11,13,15,16,17,18,21
31	Jubbal.		11	6,7,8,10,11,13,15,16,17,18,21
32	Rohru.		11	6,7,8,10,11,13,15,16,17,18,21
33	Nahan.	Sirmaur	17	1,3,4,6,7,8,9,10,11,12,13,15,16,17,18,21,25
34	Paonta Sahib.		15	1,4,6,7,8,9,10,11,12,13,15,16,17,21,25
35	Rajgarh.		15	1,4,6,7,8,9,10,11,12,13,15,16,17,21,25
36	Sarahan.		0	0 (Not covered under e-Courts Project)

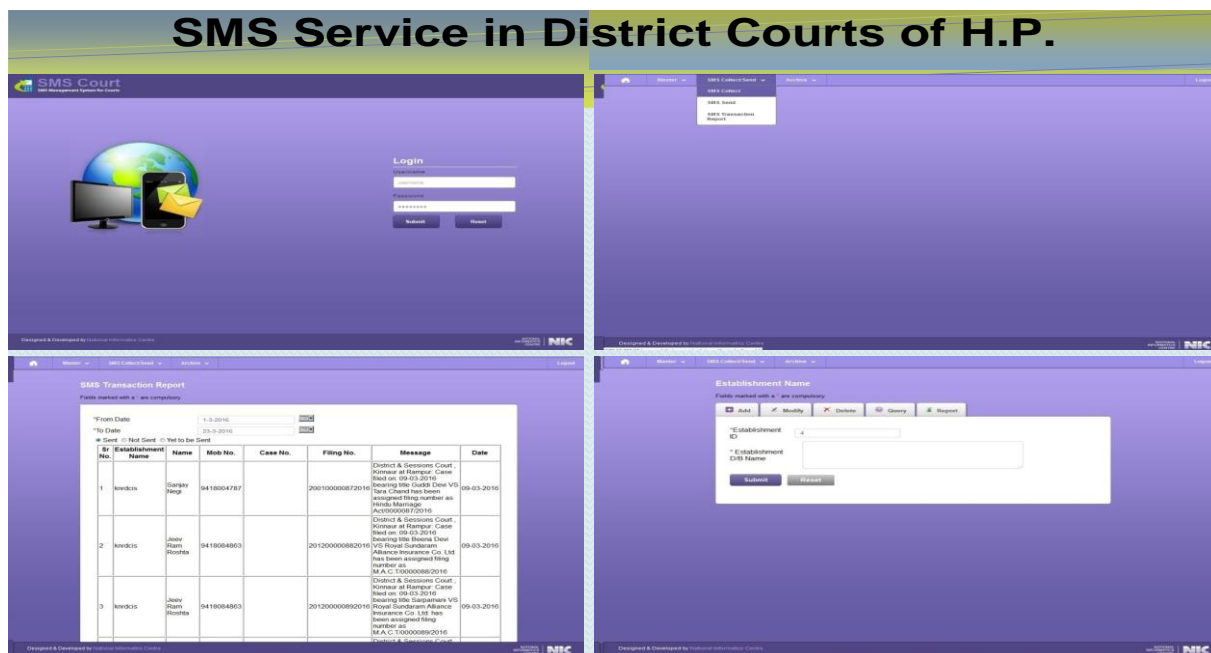
37	Solan.	Solan	14	1,3,7,8,9,10,11,12,13,15,16,17,18,21,25
38	Kasauli.		13	1,7,8,9,10,11,12,13,15,16,17,18,21,25
39	Nalagarh.		13	1,7,8,9,10,11,12,13,15,16,17,18,21,25
40	Arki.		13	1,7,8,9,10,11,12,13,15,16,17,18,21,25
41	Kandaghat.		13	1,7,8,9,10,11,12,13,15,16,17,18,21,25
42	Una.	Una	17	1,3,4,6,7,8,9,10,11,12,13,15,16,17,18,19,23
43	Amb.		16	1,4,6,7,8,9,10,11,12,13,15,16,17,18,19,23

- **Judicial Service Centres**

The Judicial Service Centers have been opened in twenty five (25) Court complexes in the State where litigants are provided all kinds of possible help.

- **SMS Services:**

- 1). SMS service to provide information to Advocate and Litigants about cases has been started in the District as well as Taluka
- 2). A screen shot of the SMS Module available at the Headquarters of Distt. Courts Complexes:



Tri-partite Memorandum of Understanding (MOU):

A tri-partite Memorandum of understanding (MOU) on the issue of computerization under Phase-I of the e-courts Project has been signed by the H.P. State Govt., High Court of H.P. and the Central Govt. Vide such M.O.U. the State Government has agreed to provide funds for the sustenance of the project after the completion of Phase-I of the e-Courts

project.

In the second phase of e-Courts Project a tri-partite Memorandum of Understanding (MOU) has been received vide D.O. letter dated 06.06.2016 from Hon'ble Mr. Justice Madan B. Lokur, Judge, Hon'ble Supreme Court of India, New Delhi and the same has also been signed by the Central Project Coordinator, on behalf of High Court of Himachal Pradesh and the Joint Secretary (Home) to the Government of Himachal Pradesh, on behalf of Govt. of H.P. and Joint Secretary, Ministry of Law and Justice, Government of India, New Delhi vide letter dated 22.08.2016.

New Laptops to the Judicial Officers –

The laptops were earlier provided by Hon'ble e-Committee, Hon'ble Supreme Court of India, New Delhi in collaboration with the NIC, New Delhi, to the Judicial Officers in the State of H.P. in the year, 2007. These laptops had outlived their lives and required immediate replacement. A decision was taken by the High Court of H.P. for disposal of such old laptops and these laptops have been disposed off by charging their scrap value at the rate of 6% from the Judicial Officers, because the book value of such laptops had been reduced to zero level.

The H.P. State Legal Services Authority has purchased 130 new Laptops of Dell Latitude 3550 and provided the same to the Judicial Officers in the state of H.P. Laptops to the remaining Judicial Officers have been provided by the High Court of H.P.

Converting District Court Libraries into e-Libraries-

- 1). KOHA has been implemented in Library of High Court of Himachal Pradesh and the entries of the law books available in High Court of Himachal Pradesh Library have been made and a report in this behalf has been sent to the Library of Hon'ble Supreme.
- 2). Process shall be started for converting the District Court Libraries into e-libraries on receipt of the hardware required for this purpose because at present no hardware is available in the district court libraries.

• Uploading of data on the NJDG (National Judicial Data Grid)-

- 1). The data on the NJDG (National Judicial Data Grid) is being uploaded on regular basis in respect of those Courts which have been computerized and the efforts are being made to reduce the pendency of undated cases to zero level.
- 2). The data on the NJDG (National Judicial Data Grid) is being uploaded on regular basis.
- 3). Various instructions/guidelines have also been issued to control the menace of undated cases in respect of all the computerized Courts including circuit courts.

- 4). The High Court of H.P. has introduced an innovative idea of appreciating on monthly basis, the Presiding Officers and staff of those Courts which maintain zero (0) level of undated cases and these steps have brought down the level of undated cases below five (5) percent notwithstanding the fact that there has been frequent connectivity issues in the state of H.P. which act as a stumbling block in replication of data to N.J.D.G. on daily basis either due to cut etc. of the OFC/ cable etc., or otherwise.
- 5). A secure link to NJDG has been provided to the Hon'ble Administrative Judges, District & Sessions Judges in H.P. and the Registrar General and Registrar (Vigilance) for the purpose of effective monitoring and decision making/analysis at High Court and District Court level, respectively.
- 6). In order to enable Judicial Officers to monitor pendency of old cases, especially those pending for more than 5/10 years, an SMS module has been introduced, wherein daily SMS is sent to each Judicial Officer, informing daily progress and pendency of cases. Similar message with consolidated data is sent to each District Judge for Division and Registrar (Vigilance) for State.
- 7). Data can be analyzed from NJDG but only establishment wise, whereas the requirement of Vigilance and Inspection branch is of analyzing data for each Judicial Officer. To make this happen, a Vigilance Software for generation of various kinds of periodical reports qua institution, disposal, pendency etc. in respect of Trial Courts has been developed. This has made possible availability of latest statistics on the click of mouse. Monthly disposal statements have also been automated.

e-Pay Portal

- Technical Team of this Registry in collaboration with the NIC Pune has successfully customized and integrated the ePay Portal developed by the Hon'ble Supreme Court of India with HIMKOSH, a payment gateway of the Government of Himachal Pradesh, using DDO Codes for making online payment. e-Pay Application for making online deposit of Fine, Judicial deposits, Court fee and Penalties has been made functional in all the Subordinate Courts.

Mapping of Court Complexes:

- 1). A mobile application has been prepared by Hon'ble e-Committee and circulated to all High Courts for mapping each Court Complex.
- 2). This will benefit litigants particularly those coming from other districts.
- 3). The e-Committee has mapped all the Court Complexes on the basis of the information provided by the CPCs.
- 4). Necessary inputs, feedbacks and suggestions, so received from the System Officers / System Assistants, deployed in the District Courts have been sent to the Hon'ble e-Committee from time to time.
- 5). On the directions of Hon'ble e-Committee, longitudes and latitudes of Court Complexes have been displayed on the websites of District Courts.

• Unique I.D. for Judicial Officers

- 1). Unique ID numbers have been created for Hon'ble the Chief Justice, Hon'ble Judges, Judicial Officers in Himachal Pradesh, former Chief Justices, former Judges and the former Judicial Officers.
- 2). Directions have also been issued to the District Judges for entering the Unique IDs. of Judicial Officers on the C.I.S. and in pursuance of such directions the Unique ID numbers of Judicial Officers have been entered in the CIS.

• Establishment Codes:

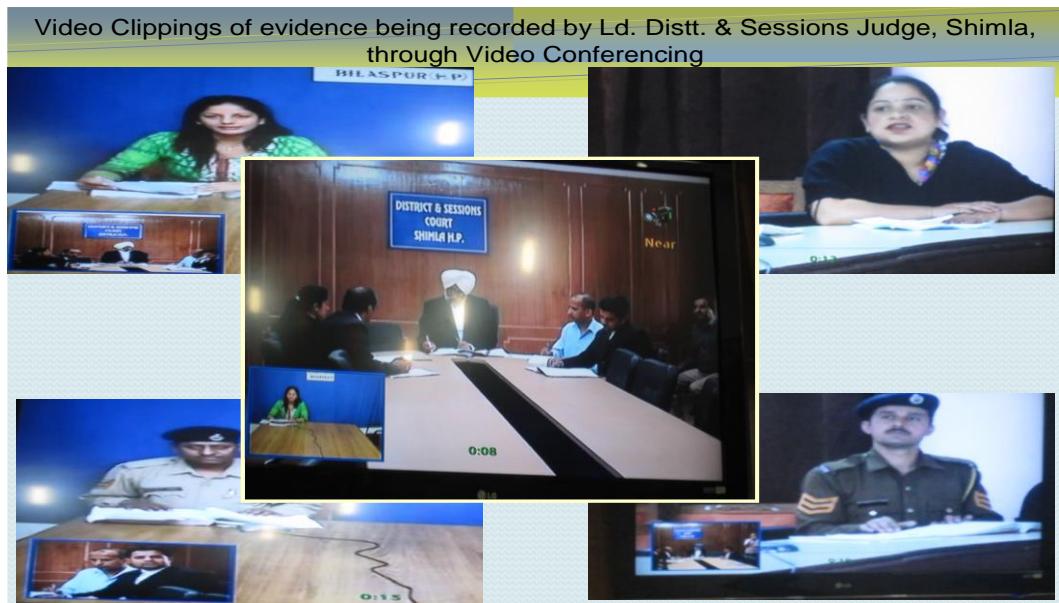
- 1). The sixteen digit Establishment Codes were conveyed by the High Court of H.P. to the Trial Courts and the same have been entered in CIS by all the Courts.

• Video Conferencing Facility

- 1). The Video Conferencing facility (hardware based) has been made operational in all the headquarters of Eleven (11) Civil & Sessions Divisions in Himachal Pradesh.
- 2). Software based V.C has also been made operational at all thirty two (32) Sub – Divisional/ Tehsil level Courts
- 3). The instructions have already been issued to the Distt. & Sessions Judges for using the VC Units for the purpose of remand and also for recording the statements of expert witnesses.

- 4). The instructions have also been issued to the Distt. & Sessions Judges for preserving the Video – clippings of the evidence recorded through the mode of Video Conferencing.
- 5). On the basis of e-mail received from Hon'ble e-Committee, instructions have been issued to the District & Sessions Judges in H.P., Nodal Officers in each Court Complex and also the Technical Manpower deployed at the District Courts for extensively using the V.C Units for recording evidence and granting remand etc., and also for preserving Video Clippings of the evidence recorded through VC and for maintaining proper record of the evidence recorded and remand etc., granted through Video Conferencing.





- 6). On the direction of Hon'ble SCMS Committee a committee of three Judicial officers was constituted to examine Video Conferencing guidelines received from Hon'ble Delhi High Court. The said Committee has submitted its report and same has been circulated amongst all the Judicial Officers in the State.
- 7). Guidelines have already been prepared for recording evidences of Judicial Officers through VC mode & the same has been issued to all the District & Sessions Judge, in H.P.

- **Document Presenters for V.C. Units:**

- 1). With a view to use the V.C. units extensively for recording evidence of the expert witnesses and also of the Judicial Officers etc., through the mode of Video Conferencing, twenty three (23) numbers of Document Presenters for seven (7) number hardware based V.C. units installed at the headquarters of the seven (7) Civil & Sessions Divisions and thirty two (32) numbers software based V.C. units at sub divisional/ tehsil level Courts, where V.C. units have been set up, have been purchased and installed.
- 2). The matter with regard to procurement of Document Presenter for remaining four (4) number hardware based V.C. units is under progress.

- 3). **Official e-mail ids to the Judicial Officers**

The Official e-mail ids on NIC mail domain i.e., mail.gov.in., have been provided to all the Judicial Officers in State of Himachal Pradesh and instructions have also been issued to all the Judicial Officers in Himachal Pradesh to get in touch with the official email id and make optimum use of these email ids., for official purposes.

Diesel Generator Sets (DG Sets)

DG Sets have been installed at the following 21 locations in Himachal Pradesh under Phase-I of eCourts Project.

Sl. No.	Name of Court Complex	Number of Court Rooms	Rating of DG Set.
1.	Judicial Court Complex, Bilaspur.	5	5 KVA
2.	Judicial Court Complex, Ghumarwin.	5	5 KVA
3.	Judicial Court Complex, Una.	8	5 KVA
4.	Judicial Court Complex, Amb.	3	5 KVA
5.	Judicial Court Complex, Hamirpur.	8	5 KVA
6.	Judicial Court Complex, Dharamshala.	12	5 KVA
7.	Judicial Court Complex, Kangra.	3	5 KVA
8.	Judicial Court Complex, Dehra.	3	5 KVA
9.	Judicial Court Complex, Palampur.	3	5 KVA
10.	Judicial Court Complex, Chamba.	4	5 KVA
11.	Judicial Court Complex, Mandi.	8	5 KVA
12.	Judicial Court Complex, Sundernagar.	2	5 KVA
13.	Judicial Court Complex, Kullu.	5	5 KVA
14.	Judicial Court Complex, Solan.	6	5 KVA
15.	Judicial Court Complex, Nalagarh.	3	5 KVA
16.	Judicial Court Complex, Kasauli.	2	5 KVA
17.	Judicial Court Complex, Sirmaur at Nahan.	6	5 KVA
18.	Judicial Court Complex, Paonta Sahib	3	5 KVA
19.	Judicial Court Complex, Rohru.	3	5 KVA
20.	Judicial Court Complex, Kinnaur at Rampur.	4	5 KVA
21.	Judicial Court Complex, ReckongPeo.	2	5 KVA

- Under Phase- II of eCourts Project DG sets of 5 KVA for Network Rooms of 43 Court Complexes in Himachal Pradesh have been procured.

Severs

- Dell Power Rack Server, one each for District Court Complex Kangra at Dharamshala and Shimla, have been procured and provided in March, 2019.
- 6 numbers of Dell Tower Server, one each for District Court Complex Bilaspur, Hamirpur, Mandi, Una, Solan and Sirmaur at Nahan have been procured and provided in March, 2019.
- **Computer Infrastructure in the Courts not covered under e-Courts Project Phase-I:**

- 1). One Desktop PC along with one laserjet Printer and one UPS has been provided to each court, which have not been covered under the e-Courts Project, Phase-I, in Himachal Pradesh.
- 2). Like-wise each circuit court except circuit court at Sarahan (Sirmaur) has also been provided with one Desktop PC, one UPS and one Laserjet Printer.

Renewable Energy.

Fund to the tune of Rs. 30,00,000/-, have been received from the Department of Justice, Govt. of India, Ministry of Law & Justice for installation of Solar Power Plants in two Court Complexes viz. Theog, under Civil & Sessions Division Shimla and Palampur, under Civil & Sessions Division Kangra. Installation of Solar Power Plant at both location is complete. Solar Power Plant at both the locations have been made functional.

In addition to above, 23 Court Complexes of Distt./ Sub-Divisional Courts in Himachal Pradesh have been identified for installation of Standalone SPV Power Plants. work These SPV plants are being set up by HIMURJA and work is in progress.

Display Board Software for Trial Courts.

Display Board Software for Trial Courts has been customized by the technical team of High Court of H.P. and has been successfully implemented at all the Trial Courts. The real time Cause List data from Trial Court live servers is automatically replicated at High Court Data Center. The Trial Court Display Boards are displayed on High Court and their respective District Court website.

Copying Module for Trial Courts.

Copying module for Trial Court has been developed by the technical team of High Court of H.P. In this module sms is sent when request for copy is submitted and when the copy is ready.

District Court management System (DCMS)

District Court management System (DCMS) has been successfully implemented in all the Districts in the State. The information required to be furnished on daily basis includes:

- Total cases fixed.
- Cases fixed for evidence.
- Witnesses examined in civil and criminal cases.
- Arguments heard/ part heard.
- Disposal of miscellaneous applications as well as main cases being contested or uncontested.
- JustIS Mobile Application has been successfully implemented for the Judicial Officers of the Trial Courts.

PHASE-II OF E-COURTS PROJECT

Nomination of Distt. Computer Committee and Nodal Officers:

On the directions of Hon'ble e-Committee, Distt. Computer Committees have been constituted in every Civil & Sessions Divisions and Nodal Officer for each Court Complex has also been appointed and information in this behalf has been shared with the Hon'ble e-Committee.

Under Phase- II of eCourts Project funds have been received from the Department of Justice, Ministry of Law & Justice, Government of India, for procurement of different components. Under Phase-II of eCourts Project, procurement process is near completion and efforts are being made to complete procurement process at the earliest. Component wise allocation of budget and status of procurement of hardware under Phase- II of eCourts Project is as under:

**STATUS REPORT ON PROJECTS UNDER E-COURTS PHASE-II, AS ON
31.03.2022.**

Sr. No.	Description	Funds Received from eCommittee (Rs.)	Funds Utilized (Rs.)	Un-utilized Funds/ Savings (Rs.)
1	4 Desktop PC for each 100 Court Rooms (three i3 & one i5)	14700000	13640891	1059109
	LAN for 100 Court Rooms	3200000	3200000	0
2	4 Desktop PC for 49 Court Rooms (three i3 & one i5)	7200000	6375390	824610
3	LAN for 49 Court Rooms	3200000	3115720	84280
	Display Board Monitors with Thin Clients	4720000	4634157	85843
	Extra Monitor with Splitter	1062000	1001980	60020
	Duplex Laser Network Printer	4956000	4945355	10645
	MFD Network Printer			
	Information Kiosk District Level Court Complexes	1210000	1066472	143528
	Software Development & Tech. Support team for CPC (1 year)	8773000	6490448	2515910
4	Decentralized Components	3000000	2519790	480210
5	Projector with Screen	55000	54400	600
	i5 Computers	1302000	1250850	51150
	Printers (MFD + Duplex)	84000	76500	7500
	LAN Points	432000	432000	0
	Flatbed Scanner with ADF	28000	28000	0
	UPS 10 KVA	200000	200000	0
	USB HDD (1 TB)	7500	7400	100
	DG Set	300000	0	300000
	Studio Based VC	320000	0	320000
6	DLSA: i5 Computer	462000	443850	18150
	DLSA: i3 Computer	770000	765600	4400
	DLSA: MFD Duplex	319000	279400	39600

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	Network Printer				
	DLSA: LAN Points		712800	709797	3003
	DLSA: UPS 1 KVA		330000	161623	168377
	TLSC: i3 Computer		2730000	2730000	0
	TLSC: MFD Duplex Network Printer		1131000	1066800	64200
	TLSC: LAN Points		1684800	1684800	0
	TLSC:UPS 1KVA		1170000	1170000	0
7	Kiosks for Taluka C.C.s (32 Nos. *Rs.110000)	Funds for existing Court Complexes and New Court Complexes (C.C.s)	3520000	3520000	0
	Projector with Screen for all C.C.s (43 Nos.*Rs 55000)		2365000	2365000	0
	USB Hard Disk for all C.C.s (43 Nos.*Rs 12000)		516000	515140	860
	DG Set for Network Room for all C.C.s (43 Nos.*Rs 300000)		12900000	11623933	1276067
	UPS for Network Room for all C.C.s (43 Nos.*Rs 80000)		3440000	3332500	107500
8	600 VA (596 nos.)UPS for Computers provided to Subordinate Courts	Funds for UPS for Subordinate Courts and VC for remaining Court Complexes and Jails	1668800	1442320	226480
	Video conferencing for remaining Court Complexes and Jails		6825000	6825000	546406
9	Justice Clocks for Court Complexes	Funds for Justice Clocks for Court Complexes	1300000	678999	621001
10	eSeva Kendra HC & DC	Funds eSeva Kendra for HC and DC Complexes	1068000	0	1068000
11	Help Desk for eFiling	Funds for Help Desk for eFiling in the Court Complexes	770000	0	770000
12	Equipment for VC and connectivity	Funds for Equipment for VC Cabins and connectivity	360000	0	360000
13	VC Equipments for Court Rooms	Funds for VC Equipments for Court Rooms	1840000	0	1840000
14	Document Visualizes for Video Conferencing in Court Complexes	Funds for Document Visualizes for Video Conferencing in Court Complexes	483000	0	483000

15	Flatbed Scanners for HC & District & Taluka Court Complexes	Funds for Flatbed Scanners for HC & District & Taluka Court Complexes	1575000	0	1575000
16	Laptops for Judicial Officer	Funds for Laptops for Judicial Officer	9165000	0	9165000
	Total		111854900	88354115	24280549

CHAPTER-9

HUMAN RESOURCE DEVELOPMENT**❖ TRAINING OF JUDGES / JUDICIAL OFFICERS & ACTIVITIES OF STATE JUDICIAL ACADEMY****Establishment**

Himachal Pradesh Judicial Academy initially came into being on 22nd September, 2005, vide State Government Notification No. Home –B (E) 3-17/2003-II dated 22nd September, 2005, pursuant to the order passed in CWP No. 324/2003. The State Government further set up the Himachal Pradesh Judicial Academy to institutionalize a system of judicial education and training not only at the time of selection and appointment of the Judicial Officers but on a continuing basis during service vide Notification No. Home (E)3-17/2003-II dated 24th November, 2005, in supersession of Notification dated 22nd September, 2005.

Board of Governors of the Judicial Academy:

The State Government vide notification No. Home-B(E)3-17/2003-Loose dated 1st March, 2021, on the recommendations of the Hon'ble High Court of Himachal Pradesh, was pleased to re-constitute the Board of Governors of Himachal Pradesh Judicial Academy. The Academy is functioning under the overall control of Hon'ble Board of Governors. At present, the Board of Governors consists of:-

1.	Hon'ble Shri Justice Mohammad Rafiq, Chief Justice, High Court of Himachal Pradesh	Patron-in-Chief
2.	Hon'ble Ms. Justice Sabina, Judge, High Court of Himachal Pradesh	Member
3.	Hon'ble Shri Justice Tarlok Singh Chauhan, Judge, High Court of Himachal Pradesh	President
4.	Hon'ble Shri Justice Vivek Singh Thakur, Judge, High Court of Himachal Pradesh	Member
5.	Hon'ble Shri Justice Ajay Mohan Goel, Judge, High Court of Himachal Pradesh	Member
6.	Advocate General, Himachal Pradesh	Member

7.	Principal Secretary, Department of Administration of Justice (Home) to the Government of Himachal Pradesh	Member
8.	Additional Chief Secretary-cum-Principal Secretary (Finance) to the Government of Himachal Pradesh	Member
9.	The Director, Himachal Pradesh Judicial Academy	Secretary

Functions of the Academy:

As per State Government Notification No. Home (E) 3-17/2003-II dated 24th November, 2005, the functions of Himachal Pradesh Judicial Academy, inter alia, include:

- (i) To impart induction training to newly recruited Judicial Officers.
- (ii) To impart refresher and orientation training and education to Judicial Officers.
- (iii) To provide training to ministerial staff of Judicial Courts from time to time.
- (iv) To provide such other judicial training and education related services, as may be necessary to improve the efficiency of the justice delivery system.
- (v) To organize refreshers, orientation or any other type of training in justice and law related subjects to Officers and Officials outside the Judiciary, if so requested or required.

Redefined activities of the Academy:

The following more functions have been added vide State Government Notification No. Home-B (E)3-17/2003 dated 1st July, 2013:

1. Research

To associate the Judicial Officers in the research work in order to provide evidence about the judicial process and development. The training programme/ refresher programme should be followed by “impact assessment” by taking the feedback from the judicial officers. Thereafter, the OSD-Legal Research and Rules, High Court of H.P. will process the same and prepare the research paper, for being placed before the H.P. Judicial Academy Committee and Board of Visitors for overall working of Judicial Officers Training Institute, National Law School and all matters relating thereto. The Law Students of Final Year from the Law Colleges should also be associated in research work. H.P. Judicial Academy to devise modules in this regard.

2. Teaching

To make aware the Practitioners in other fields as well as the next generations about the laws and the judicial system. The Judicial Academy to evolve a module for the innovative teaching about the laws and the judicial system in association with State Legal Services

Authority.

3. Policy Input

To assist the development of judicial policies through research and provide a high level forum for policy discussion between the Judges, Academicians and the policy makers with a view to provide ultimate benefits to the society as a whole and to prepare a draft paper in this regard.

4. Professional Development

To start professional development courses of short duration, for practicing lawyers. Some of these courses are to be designed to fulfill the need on educating practitioners about the judiciary prior to applying for judicial posts. The other short duration professional development courses should provide Legal Practitioners with new skills and understanding of judicial functions. To devise modules in this regard, by taking up the matter with the Bar Council of H.P.

5. Public Debate

To hold programmes of public discussion about the key role of the judiciary in law and society by holding seminars in collaboration with the H.P. Legal Services Authority and Para Legal Volunteers working with the District Legal Service Authorities in the State by devising modules.

Other Activities:

Himachal Pradesh Judicial Academy, in addition to above, is also undertaking the following activities:

- Publishing “**e-News-letter**”.
- Editing and preparing the ILR (H.P. Series).

Vision:

To bring excellence in Judicial Education and Training.

Objectives:

The key idea behind establishment of Himachal Pradesh Judicial Academy is to improve the skills, enhance the knowledge and to bring functional and attitudinal change in the Judicial Officers as well as ministerial staff of the Himachal Pradesh Judiciary and other functionaries of the State Government discharging judicial and quasi-judicial functions. The main objectives of imparting training are as follows:-

- i. To update the knowledge of Judicial Officers, functionaries of the State Government and ministerial staff of State Judiciary as well as that of State Government.

- ii. To co-ordinate with National Judicial Academy and other State Judicial Academies in India to share knowledge and information.
- iii. To bring functional and attitudinal change in the participants.
- iv. To impart training in Information and Communication Technology to all the Judicial Officers and ministerial staff of the State Judiciary.
- v. To improve the skills and knowledge of participants which would help them to enhance their efficiency and productivity.
- vi. To organize and conduct training programmes for the stakeholders of the justice delivery system.
- vii. To impart trainings in Court/Case and Time Management in order to ensure speedy justice.

Methodology:

To make the trainings meaningful and result oriented the methodology of trainings is based on:

- i. Lectures coupled with interactive sessions;
- ii. Practical sessions;
- iii. Power point presentations;
- iv. Paper presentations;
- v. Group discussions;
- vi. At the end of every training, an evaluation-methodology has been adopted to ascertain the grasp-rate of every participant; and
- vii. Emphasis is being laid in employing modern tools and techniques in justice delivery system.

Organization of the Academy:

Himachal Pradesh Judicial Academy is being manned by the following officers/officials:

1. Director- one post
2. Joint Director –cum-Permanent Faculty Member– one post
3. Deputy Director – one post
4. System Analyst – one post
5. Superintendent Grade-II– one post
6. Personal Assistant – one post
7. Senior Assistant – one post
8. Senior Scale Stenographer- two posts
9. Junior Scale Stenographer –one post

10. Steno-Typist – one post
11. Accounts Clerk – one post
12. Clerk – two posts
13. Daftari- one post
14. Driver – seven posts
15. Conductor – one post
16. Peon –three posts
17. Chowkidar- one post
18. Cook – one post
19. Mali - one post
20. Safai Karamchari- one post

Further, the following posts have also been created and filled up on outsource basis:

1. Security Guards : Six posts
2. Safai Karamcharis: Five posts
3. Malis : Two posts

The Academy has also outsourced the Mess facility.

Calendar of Training Programmes/ Workshops organised

The Himachal Pradesh Judicial Academy could not organize the scheduled training programmes due to the threat of spread of coronavirus (COVID-19) disease and most of the training programmes scheduled during this financial year were postponed. However, the Academy has made efforts to organize online webinars and some training programmes through physical mode by following the COVID-19 guidelines issued by the Central/State Government from time to time. The Calendar depicting the orientation/refresher trainings/ workshops/ conferences conducted during the financial year 2021-22, is as follows:

S. No.	Trainings/Workshops	Period		Venue	No. of participants
		From	To		
1	Webinar on “Adjudication of Criminal Appeal and Revision” for Additional District and Sessions Judges	7.5.2021 (2:30 PM to 4:00 PM)		Online	18
2	Webinar on “Adjudication of Civil Appeals” for the Additional District and Sessions Judge	13.5.2021 (2:30 PM to 4:00 PM)		Online	18
3	Webinar on “Interactive Session on Speedy Disposal of Civil and Criminal Disputes” for the Civil Judges	10.06. 2021 (2:30 PM to 4:00 PM)		Online	12

4	Webinar on “Investigation of Narcotic Drugs and Psychotropic Substance Cases” for the Police Officers	12.07.2021 to 13.07.2021		Online	19
5	Webinar on “Himachal Pradesh Urban Rent Control Act and Revenue Law” for the Senior Civil Judges and Civil Judges	23.07.2021 to 24.07.2021		Online	23
6	Induction Training Programme for the newly appointed Civil Judges	5.8.2021	09.12.2021	Academy (Physical mode)	7
7	Webinar on “Adjudication of Motor Accidents Claim Cases” for the Additional District Judges and Senior Civil Judges	20.8.2021 to 21.8.2021		Online	19
8	Webinar on “Protection of Human Rights” for the District Judges, Additional District Judges, Superintendents of Police and Police Officers (JOs. 26, SPs. 3 & PPs. 10)	18.09.2021		Online	39
9	Webinar on “Himachal Pradesh Urban Rent Control Act and Revenue Law” for the Senior Civil Judges and Civil Judges	22.10.2021 to 23.10.2021 (2:00 PM to 5:00 PM)		Online	27
10	Training on “Treasury Procedures and Application Software/Financial Rules” for Officers of Treasuries Department	16.11.2021 to 18.11.2021		Academy (Physical Mode)	31
11	Training on “Treasury Procedures and Application Software/Financial Rules” for Officers of Treasuries Department	22.11.2021 to 24.11.2021		Academy (Physical Mode)	27
12	Webinar on “Juvenile Justice” for Special Judges and Special Public Prosecutors (24 Judicial Officers & 9 Public Prosecutors)	26.11.2021 (2:00 PM to 5:00 PM)		Online	33
13	Webinar on “Protection of Children from Sexual Offences Act, 2012” for Special Judges and Special Public Prosecutors (35 Judicial Officers & 9 Public Prosecutors)	27.11.2021 (2:00 PM to 5:00 PM)		Online	44
14	Training on “Treasury Procedures and Application Software/Financial Rules” for Officers of Treasuries Department	29.11.2021 to 01.12.2021		Academy (Physical Mode)	35
15	Webinar on “Law and Procedure of Arrest and Detention” for Judicial Magistrates and Police Officers (32 Judicial Officers & 12 Police Officers)	04.12.2021 (2:00 PM to 5:00 PM)		Online	44
16	Training on “Treasury Procedures and Application Software/Financial Rules” for Officers of Treasuries Department	06.12.2021 to 08.12.2021		Academy (Physical Mode)	36

17	Training on “Treasury Procedures and Application Software/Financial Rules” for Officers of Treasuries Department	13.12.2021 to 15.12.2021		Academy (Physical Mode)	24
18	Webinar on “Himachal Pradesh Urban Rent Control Act and Revenue Law” for the Senior Civil Judges and Civil Judges	17.12.2021 to 18.12.2021 (2:00 PM to 5:00 PM)		Online	28
19	Training on “Treasury Procedures and Application Software/Financial Rules” for Officers of Treasuries Department	20.12.2021 to 22.12.2021		Academy (Physical Mode)	21
20	Training on “Treasury Procedures and Application Software/Financial Rules” for Officers of Treasuries Department	27.12.2021 to 29.12.2021		Academy (Physical Mode)	32
21	Webinar on “Implementation of Directions issued by the Hon’ble Supreme Court for adjudication of Motor Accident Claim Cases” for the Presiding Officers of MACTs, POs of Permanent Lok Adalats	30.12.2021 (3:00 PM to 4:30 PM)		Online	31
22	Training on “Treasury Procedures and Application Software/Financial Rules” for Officers of Treasuries Department	03.01.2022 to 05.01.2022		Academy (Physical Mode)	22
23	Webinar on “Implementation of Directions issued by the Hon’ble Supreme Court for adjudication of Motor Accident Claim Cases” for Police Officers and Nodal Officers of Police Department	04.01.2022 From 2.00 PM to 3.00 PM		Online	19
24	Deliberation on “Child Witness Testimony under the POCSO Act, 2012: Judicial Understandings of Competency and Credibility” in collaboration with SAMVAD, Department of Child and Adolescent Psychiatry, National Institute of Mental Health & Neurosciences (NIMHANS) for the Judicial Officers	08.01.2022 From 2.00 PM to 5.00 PM		Online	36
25	Webinar on “Implementation of Directions issued by the Hon’ble Supreme Court for adjudication of Motor Accident Claim Cases” for Police Officers and Nodal Officers of Police Department	10.01.2022 From 2.00 PM to 3.00 PM		Online	17
26	Webinar on “Implementation of Directions issued by the Hon’ble Supreme Court for adjudication of Motor Accident Claim Cases” for Secretaries of District Legal Services Authorities	11.01.2022 From 2.00 PM to 2.45 PM		Online	11

27	Webinar on "Implementation of Directions issued by the Hon'ble Supreme Court for adjudication of Motor Accident Claim Cases" for Police Officers and Nodal Officers of Police Department	12.01.2022 From 2.00 PM to 3.00 PM		Online	14
28	Webinar on "Implementation of Directions issued by the Hon'ble Supreme Court for adjudication of Motor Accident Claim Cases" for Nodal Officers of Insurance Companies	14.01.2022 From 2.00 PM to 3.00 PM		Online	8
29	Webinar on "Law and Procedure of Arrest and Detention" for Judicial Magistrates and Police Officers (25 JOs & 20 POs)	15.01.2022 From 2.00 PM to 5.00 PM		Online	45
30	Webinar on "Implementation of Directions issued by the Hon'ble Supreme Court for adjudication of Motor Accident Claim Cases" for Nodal Officers of Insurance Companies	18.01.2022 From 2.00 PM to 3.00 PM		Online	5
31	Webinar on "Implementation of Directions issued by the Hon'ble Supreme Court for adjudication of Motor Accident Claim Cases" for Nodal Officers of Insurance Companies	19.01.2022 From 2.00 PM to 3.00 PM		Online	5
32	Training on "Treasury Procedures and Application Software/Financial Rules" for Officers of Treasuries Department	21.02.2022 to 23.02.2022		Academy (Physical Mode)	24
33	Webinar on "Law and Procedure of Arrest and Detention" for Judicial Magistrates and Police Officers (25 JOs & 18 POs)	26.02.2022 From 2.00 PM to 5.00 PM		Online	43
34	Course on "Adjudication of Civil and Criminal Cases" for Senior Civil Judges and Civil Judges	4.3.2022 to 5.3.2022 (2.00 PM to 5.00 PM)		Online	41
35	Training on "Code of Civil Procedure, 1908 & Indian Evidence Act, 1872" for the Officers of Competition Commission of India	09.03.2022 to 11.03.2022		Academy (Physical Mode)	12
	Total				870

Statistical Data of Trainings/Conferences/Workshops organized

The statistical data of training programmes organized by the Academy during the financial year 2021-22, is as follows:-

Type of Training	No. of events organized	No. of participants imparted training
Induction Training Programme for newly appointed Civil Judges	1	7
Orientation/ Advance Courses/ Judicial Colloquium/ Conferences/ Workshops/ Webinars for the Judicial Officers and other stakeholders (431 Judicial Officers, Police Officer 53, Public Prosecutors 28)	17	512
Webinar on "Investigation of Narcotic Drugs and Psychotropic Substance Cases" for the Police Officers	1	19
Training on "Treasury Procedures and Application Software/Financial Rules" for Officers of Treasuries Department	9	252
Webinar on "Implementation of Directions issued by the Hon'ble Supreme Court for adjudication of Motor Accident Claim Cases" for Police Officers and Nodal Officers of Police Department	3	50
Webinar on "Implementation of Directions issued by the Hon'ble Supreme Court for adjudication of Motor Accident Claim Cases" for Nodal Officers of Insurance Companies	3	18
Training on "Code of Civil Procedure, 1908 & Indian Evidence Act, 1872" for the Officers of Competition Commission of India	1	12
Total	35	870

- **Note:** Induction Training Programme for the newly appointed Civil Judges has been started from 19.01.2022 onward, which is being attended by 2 officers.

Types of Trainings/Workshops/Conferences organized

- Induction Training Programme for the newly appointed Civil Judges
- Webinar on "**Adjudication of Criminal Appeal and Revision**" for Additional District and Sessions Judges
- Webinar on "**Adjudication of Civil Appeals**" for the Additional District and Sessions Judge
- Webinar on "**Interactive Session on Speedy Disposal of Civil and Criminal Disputes**" for the Civil Judges
- Online Webinar on "**Investigation of Narcotic Drugs and Psychotropic Substance Cases**" for the Police Officers
- Online Webinar on "**Himachal Pradesh Urban Rent Control Act and Revenue Law**" for the Senior Civil Judges and Civil Judges
- Online Webinar on "**Adjudication of Motor Accidents Claim Cases**" for the Additional District Judges and Senior Civil Judges
- Online Webinar on "**Protection of Human Rights**" for the District Judges, Additional District Judges, Superintendents of Police and Public Prosecutors

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- Online Webinar on “**Juvenile Justice**” for Special Judges and Special Public Prosecutors
- Online Webinar on “**Protection of Children from Sexual Offences Act, 2012**” for Special Judges and Special Public Prosecutors
- Online Deliberation on “**Child Witness Testimony under the POCSO Act, 2012: Judicial Understandings of Competency and Credibility**” in collaboration with SAMVAD, Department of Child and Adolescent Psychiatry, National Institute of Mental Health & Neurosciences (NIMHANS) for the Judicial Officers
- Online Course on “**Adjudication of Civil and Criminal Cases**” for Senior Civil Judges and Civil Judges
- Online Webinar on “**Law and Procedure of Arrest and Detention**” for Judicial Magistrates and Police Officers
- Training on “**Treasury Procedures and Application Software/Financial Rules**” for Officers of Treasuries Department
- Online Webinars on “**Implementation of Directions issued by the Hon’ble Supreme Court for adjudication of Motor Accident Claim Cases**” for the Presiding Officers of MACTs, Presiding Officers of Permanent Lok Adalats, Secretaries of District Legal Services Authorities, Police Officers and Nodal Officers of Police Department and Nodal Officers of Insurance Companies
- Training on “**Code of Civil Procedure, 1908 & Indian Evidence Act, 1872**” for the Officers of Competition Commission of India

Infrastructural Facilities in the Judicial Academy

Himachal Pradesh Judicial Academy is having the following infrastructural facilities:

1. Mini Auditorium, Conference Hall and Lecture Rooms equipped with internet facility and powerpoint presentation equipments
2. Open Theatre
3. Computer Lab equipped with internet facility and powerpoint presentation equipments
4. Hostel for providing accommodation facility for the Hon’ble Dignitaries, Resource Persons and participants
5. Library
6. Mess facility
7. Gymnasium
8. Tennis Court
9. Table Tennis

Construction of Judicial Academy Campus

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Construction of one Type-VI, one Type-V, six Type-III and twelve Type-I residences has been completed. On 28th September, 2021, His Lordship, Hon'ble Shri Justice Ravi Malimath, the then Hon'ble the Acting Chief Justice, High Court of Himachal Pradesh and Hon'ble Patron-in-Chief of Himachal Pradesh Judicial Academy virtually inaugurated the Type-VI, Type-V, Type-III and Type-I residences, in the august presence of Their Lordships, Hon'ble Shri Justice Tarlok Singh Chauhan, Judge, High Court of Himachal Pradesh and Hon'ble President of Himachal Pradesh Judicial Academy and Hon'ble Judges of High Court of Himachal Pradesh, Hon'ble Shri Justice Sureshwar Thakur, Hon'ble Shri Justice Vivek Singh Thakur, Hon'ble Shri Justice Ajay Mohan Goel, Hon'ble Shri Justice Sandeep Sharma, Hon'ble Shri Justice Chander Bhushan Barowalia, Hon'ble Shri Justice Anoop Chitkara, Hon'ble Ms. Justice Jyotsna Rewal Dua and Hon'ble Shri Justice Satyen Vaidya.

Help Desk in the website of the Academy

The Judicial Academy has already launched the Help Desk in the website of the Academy to provide a platform to the judicial officers to share their knowledge and experience to help others in effective discharge of their duties.

Implementation of paperless working

The Academy is making all out efforts to implement the paperless working. With this aim, the Academy is sending all the letters, reading material, I.L.R. (H.P. Series) to the Judicial Officers through e-mail and also uploading the reading material, audio/ video lectures, important judgments of Hon'ble Supreme Court & Hon'ble High Court and important articles on the website of the Judicial Academy.

Nomination of Judicial Officers for attending the Conferences/ Workshops

The judicial officers of the State of Himachal Pradesh attended the trainings/ conferences/ workshops at various institutions as detailed below:

Sr. No.	Name of the Academy where training attended	No. of trainings for which officers were nominated	No. of officers who attended the trainings
1.	National Judicial Academy	10	20
2.	Other Judicial Academies/ Institutions	7	52

CHAPTER-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.**

In the State of H.P., Legal Services Institutions came to be set up as per the mandate of Legal Services Authority Act, 1987 in the following manner:-

- i. **State Legal Services Authority:-** State Legal Services Authority has been functioning in H.P. having its office at Shimla. **Hon'ble the Chief Justice is Patron-in-Chief and Hon'ble Smt. Justice Sabina, Judge, is the Executive Chairperson of the Authority.** Besides, the staff of the State Legal Services Authority, two Judicial Officers, one in the rank of District & Sessions Judge being the Member Secretary and the other in the rank of Civil Judge (Senior Division)-cum- Chief Judicial Magistrate being the Administrative Officer are looking after the work of the said Authority.
- ii. **H.P. High Court Legal Services Committees:-** In order to manage the affairs of the legal services in High Court of H.P., there exists a legal services Committee headed by Hon'ble Mr. Justice Vivek Singh Thakur, Judge, High Court of Himachal Pradesh. The Registrar (Administration), High Court of H.P. is the Secretary of such Committee.
- iii. **District Legal Services Authority:-** In all the eleven Civil and Sessions Divisions, there exist District Legal Services Authorities headed by the District & Sessions Judge as a Chairman and one Officer in the rank of a Civil Judge (Senior Division)-cum Additional Chief Judicial Magistrate as a Secretary of such Authority.
- iv. **Sub Divisional Legal Services Committees:-** At sub-divisional level, the senior most Judicial Officer acts as the Chairman of the Sub –Divisional Legal Services Committee and Superintendent of the Court of senior most Judicial Officer is Secretary of such Committee.

The H.P. State Legal Services Authority has been endeavouring to spread legal awareness and legal literacy especially in rural areas, slums, labour colonies with purpose of educating the weaker sections of the society as to their rights, benefits and privileges

guaranteed by social welfare legislations and other enactments as well as administrative programmes and measures. Besides this, we are vigorously pursuing other legal services activities, enhancing the quality of legal services in court matters, running Front Offices as a one stop center with help of Retainer Lawyers and PLVs, maintaining panel of lawyers for legal aid cases and providing regular guidance and advise to Panel Lawyers by establishing Monitoring and Mentoring Committees, providing legal aid services at the door steps in rural areas through Village Legal Care and Support Centres vis-à-vis to convicts and under trial prisoners and organising Lok Adalats and pursuing Mediation for settlement of cases.

Outreach activities are planned in such a manner to have effective legal empowerment programmes and awareness on relevant issues of the areas/localities. Feedback is taken from Judicial Officers, District Administration, NGOs, Self Help Groups, Women Organizations, Local Bodies, Panchayats and by hearing public voice in the camps to identify core issues and problems of the areas. Reaching out to local bodies like Panchayats and other institutions is of abundance value and very useful. They have direct link and access to public and public is also closely connected with such institutions. There is prompt and harmonious reach of general public with such institutions. Awareness through local bodies is result oriented even when legal aid beneficiary needs legal aid and has easy access to approach to the representatives of the local bodies, who in turn guide the beneficiary to approach Village Legal Care Support Center(s) or Front Office(s).

During camps emphasis is laid to hear voice of the public and to have interaction with participants, so as to gather information about impact assessment of the camps previously held in the areas as well as about various legal services activities carried by Legal Services Institutions. Each DLSA has been given a target to organize one measure outreach programme/camp in a planned manner based upon local need/requirement of the district/area. Planning of the camps is done by DLSA under the guidance of HPSLSA, by involving Stakeholders, NGOs, Panchayats and PLVs.

Functionaries of District Administration i.e. Deputy Commissioner, Superintendent of Police, Nodal Officer of Welfare Schemes, Functionaries of Local Bodies and Panchayats, NGOs, Advocates etc. are associated in these legal awareness camps for securing effective coordination from all corners and to facilitate immediate benefits of welfare schemes. General Public also come to know that all Stakeholders, Public Functionaries and Functionaries of the Legal Services Institutions are working together to achieve access to justice for all.

The HP State Legal Services Authority has also adopted a module to spread legal literacy and awareness through afforestation campaign during monsoon season, in order to sensitize School Children, Public Representatives, Mahila Mandals, Self Help Groups about importance of environment and ensuring commitment to the fundamental duties of the citizens to protect and improve the natural environment. Under this programme plantation

drive is taken throughout the State at large scale in association with Forest Department, Local Administration, Advocates, and Representatives of Public Bodies. Students are encouraged to speak on the occasion(s) about importance of environment and they are also felicitated.

This Authority has also taken an initiative to get each Panchayat litigation free. For this, legal literacy camps are organized with dual purpose of educating weaker section of society about their rights and encouraging the litigant public for settlement of disputes through Lok Adalats. All Chairmen, Sub-Divisional Legal Services Committees are directed to hold at least two Mobile Lok Adalats simultaneously during legal literacy camps.

Article 39-A of the Constitution of India provides that “the State shall secure that operation of legal system promotes justice, on a basis of equal opportunity, and shall, in particular, provide free legal aid, by suitable legislation or schemes or in any other way, to ensure that opportunities for securing justice are not denied to any citizen by reason of economic or other disabilities”.

In the year 1987, in order to constitute Legal Services Authorities to provide free and competent legal services to the weaker sections of the Society and to ensure that the opportunities for seeking justice are not denied to any citizens by economic and other disabilities and to organize Lok Adalats to secure that the operation of legal system provides justice on the basis of equal opportunity, the Parliament enacted the Legal Services Authorities Act, 1987. The State Government, as per the provision of section 28 of the Legal Services Authorities Act, 1987 framed Himachal Pradesh State Legal Services Authority Rules, 1995. Thereafter, the State Govt. of Himachal Pradesh, as per the provisions of sub Section (1) and 2 of Section 6 of the Legal Services Authorities Act, 1987 read with Rule-3 of the Himachal Pradesh Legal Services Authority Rules, 1995, in consultation with the Hon'ble Chief Justice, High Court of Himachal Pradesh constituted “Himachal Pradesh State Legal Services Authority” vide Notification No. LLR-A(3)-9/95, Dated Shimla-171002, the 26th December, 1995 and thus, the H.P. Legal Services Authority came into being on 26.12.1995.

Lok Adalats

Organizing Lok Adalats is one of the main functions of H.P. State Legal Services Authority. Lok Adalats are being organized as per Section 19 of the Legal Services Authorities Act, 1987 and National Legal Services Authority (Lok Adalat) Regulations, 2009 in all the courts from High Court to Sub Division Level. Lok Adalats for Pre-Litigation matters are being held periodically. National Lok Adalats are being organized as per guidelines and directions of NALSA.

Quarterly Progress Report of Legal Services Authority w.e.f. 1.4.2021 to 30.6.2021

Activities, April, 2021 to June, 2021

Lok Adalats

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Awareness Camps in Jails

In order to sensitize prisoners about their Legal rights, **28** digital Legal Awareness Camps were organized in the Jails by Judicial Officers. **1521** prisoners were apprised through video conferencing about their legal rights/free legal services available to them.

Legal Services Clinics in Jails

Legal Services Clinics in jails have been established in all District Jail/Sub jails in the State of H.P. These Clinics are manned by the PLVs (Long Term Prisoners) and Retainer Lawyers. **125** persons were provided assistance through Legal Aid Clinics in Jail from 01.04.2021 to 30.06.2021 through digital means.

Awareness Camps in Juvenile Homes

The Secretaries, District Legal Services Authorities organized **53** Awareness Camps through digital means in various Juvenile Homes during the period and **1191** inmates were sensitized about their rights.

Legal Literacy Camps

During the period, **229** Legal Literacy Camps were organized by District Legal Services Authorities/Sub Divisional Legal Services Committees through digital means on different topics including the rights of women, Children and Senior Citizen, Right to Information, Consumer issues, different Welfare and Social security Schemes of the State and Central Government and various other topics as per schedule approved by this Authority. In **total 4718 persons** were benefited by attending the said camps.

Special sensitization programs of Police Officers/IOs

In compliance of the directions and guidelines as laid down by the Hon'ble Supreme Court in the case of Arnesh Kumar vs. State of Bihar, the DLSAs conducted sensitization programs of Police Officers/IOs through the digital mode within their jurisdictions. In total **56** sensitization programmes were conducted and **996** Police Officers/IOs were benefited.

Legal Services during second wave of COVID-19

As per directions received from the Member Secretary NALSA, the H.P. State Legal Services Authority has notified landline numbers of Secretaries, District Legal Services Authorities and Chairmen, Sub Divisional Legal Service Committees will also serve as Special helpline for COVID-19 to cater to the needs of general public/legal aid seeker for redressal of the their grievances as mandated by the Legal Services Authorities Act, 1987. Furthermore, the Free Legal Aid & advice is available 24x7 on state helpline no 15100.

The following directions have been issued to the District Legal Services Authorities and Sub-Divisional Legal Services Committees:

- The Secretaries, District Legal Services Authorities and Chairmen, Sub Divisional Legal Services Committees will depute a responsible person to attend to calls received on helpline number for COVID-19 and take up the matter with the District

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Administration to help the caller/needful person in every possible manner and to provide legal aid and legal services promptly during these challenging times.

- To issue a Press Note to give wide publicity to the helpline numbers.
- To deal e-mails relating to legal aid on day-to-day basis.
- To conduct Virtual Mediation in appropriate cases i.e. Matrimonial Disputes, Disputes under Section 138 of Negotiable Instrument Act, MACT etc.
- To prepare duty schedule of Remand Counsel and same be sent to the concerned Court and to the Police Stations well in advance.
- To conduct the meeting with Remand Counsel through digital mode to ensure effective rendering of legal services at early stages of Criminal Justice.
- To coordinate with concerned Jail Superintendent of their respective District(s) for conducting meeting between Prisoners and Legal Services Panel Lawyers through video conferencing and jail clinics to remain operational digitally.
- To identify the legal needs of Prisoners and provide timely legal services/aid to them.
- To expedite the matters of Victim Compensation under Victim Compensation Scheme framed by the State Government and NALSA.

Legal Literacy and Legal Awareness Campaign for COVID-19 Patients

COVID-19 patients are most vulnerable victim of the existent pandemic, particularly those who are living in institutional quarantine centres (COVID Centres) in the State of Himachal Pradesh.

H.P. State Legal Services Authority is always endeavoring to take appropriate measures for spreading legal literacy and legal awareness amongst the people at large particularly inmates living in Jails, CCI's and Old Age Homes etc. Regular video conferencing is going on with these inmates and the custodian authorities by functionaries of legal services institutions i.e. Secretaries DLSAs, Chairmen SDLSCs, Retainer Lawyers etc. to make them aware about do's and don'ts of the COVID-19 and their rights vis-à-vis the corresponding duties of the custodian authorities in ensuring the protection of rights of inmates.

COVID-19 patients are also living away from their families and they need to be taken care of by interaction through digital modes ensuring the protection of their basic human rights.

In this background, **Hon'ble the Executive Chairperson, H.P. State Legal Services Authority and Judge, High Court of Himachal Pradesh, Shimla** has directed all the Chairmen, Sub Divisional Legal Services Committees (within their jurisdiction) and Secretaries, District Legal Services Authorities to interact through video conferencing or any other digital mode with COVID-19 patients living in institutional quarantine centres (COVID Centres) and apprise them about their rights and take feedback of the facilities being

provided in these centres relating to food, beddings, hygiene, medicine, cleanliness, institutional staying charges, overall conditions of these centres etc. and take stock of their grievances/deficiencies, if any and pursue the grievance redressal of the inmates with the concerned authorities and impress upon In-charge of these centers to ensure rendering of quality medical services and other facilities as per the arrangement prescribed for these institutions during this COVID-19 pandemic.

The Secretaries DLSAs and Chairmen SDLSCs interact through video conferencing/digital modes with the COVID-19 inmates and the In-charge of the centers all over the state on Weekly basis to ensure rendering of the quality medical services and other facilities and to implement any innovative ideas concerning protection of the basic human rights of the inmates vis-à-vis to pursue the grievance redressal of the inmates with the concerned authorities.

Online/e-Lok Adalats

With a view to provide succor to the litigants, directions have been received from NALSA to explore the possibility of holding online/e-Lok Adalats. The purpose of initiating e-Lok Adalat is to facilitate online platform for the litigants to decide their cases during this Pandemic situation.

As per directions of **Executive Chairperson**, directions have been issued to all the District Legal Services Authorities in the State of Himachal Pradesh to hold online/e-Lok Adalat in the in the

State with the aid of compatible SOPs harmonious with the provisions of National Legal Services Authority (Lok Adalat), Regulations 2009 and The Himachal Pradesh Lok Adalat Scheme, 2005 for MACT cases, Criminal Compoundable Cases, Cases under Negotiable Instruments Act, Bank Recovery Cases etc. The social distancing norms and other advisories issued under COVID-19 Pandemic by competent authorities from time to time are to be strictly followed while preparing and conducting e-Lok Adalat at all stages.

One e-Lok Adalat has been conducted in the state of Himachal Pradesh in the month of April 2021 and the detail is as follows:-

H.P. State Legal Services Authority, Shimla-9			
Detail of Cases taken up and disposed of during holding of E-Lok Adalats during the month of January, 2021			
Name of DLSAs	Total Cases Taken up	Total Cases Settled	Amount Awarded
Chamba	14	14	12500

Monthly Inspection of Rehabilitation & De-addiction Centres in the State

In view of the phenomenal rise in drug trafficking and drug abuse amongst the youth, children and adolescents has serious implications, adversely affecting national health and economy, curbing it is the highest priority. Experience shows that the victims of drug abuse have no idea how to tackle the issues of treatment and rehabilitation.

As per directions of Hon'ble the Executive Chairperson, all rehabilitation/de-addiction centres are inspected forthwith by the Chairmen, Sub Divisional Legal Services Committees in their respective jurisdiction on monthly basis.

National Lok Adalat held on 10th April, 2021 for (Pre-Litigation & Pending matters)

A National Lok Adalat for Pre-Litigation & Pending matters was organized on 10th April, 2021 under patronage of Patron-in-Chief Hon'ble **Mr. Justice L. Narayana Swamy, Chief Justice, High Court of Himachal Pradesh** and under able and innovative guidance of **Hon'ble Mr. Justice Ravi Malimath, Judge, High Court of Himachal Pradesh** and Executive Chairman, Himachal Pradesh State Legal Services Authority in all the Courts in the State of Himachal Pradesh.

Hon'ble, Mr. Justice Ravi Malimath, the Executive Chairman, H.P State Legal Services Authority during video conferencing with District Judges and Secretaries, District Legal Services Authorities held on 5th April, 2021 had emphatically impressed upon all the District Judges to identify sufficient number of cases for Lok Adalat and take pro-active part in the settlement of cases referred with active involvement of Bar Members to enhance disposal of cases in the Lok Adalat and emphasized to have an positive attitude in pursuing the parties for amicable settlement vis-a-vis to secure larger participation of the Bar Members in the settlement of cases before Lok Adalat .

In Total **12752** cases (**6082** Pre-litigation and **6670** pending matters) were taken up in the National Lok Adalat before different benches for settlement, out of which **6244** cases (**2288** pre-litigation and **3956** pending matters) were settled/disposed off. A sum of **₹52,15,42,759/- (Rupees Fifty Two Crore Fifteen Lacs Forty Two Thousand Seven Hundred Fifty Nine only)** was recovered/awarded in National Lok Adalat to the claimants. The State Legal Services Authority would also organize monthly Lok Adalats based on different subjects such as Matrimonial cases, Motor Accident cases, Bank Recovery suits etc. particularly in the Districts, where pendency is on higher side for providing quick and timely justice to the litigants.

Awareness Video on COVID-19

Keeping in view the spike in COVID-19 cases in the state of Himachal Pradesh, under the able guidance of **Hon'ble the Executive Chairman**, H.P. State Legal Services Authority, a video regarding awareness on COVID-19 has been prepared by HP State Legal Services Authority in collaboration with the Medical Superintendent, DeenDayalUpadhayay,

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Zonal Hospital Shimla (A dedicated COVID-19 Hospital) and the video shows messages from seven Medical Officers who are treating the COVID-19 patients. The video has been uploaded on the website of this Authority and has been widely circulated in the Social Media amongst Panel Lawyers, Para Legal Volunteers, Legal Services Functionaries and general public. The video can be downloaded from the following link: <https://drive.google.com/file/d/1PBFwoTKOoK8UvfGsPJJiw7SC8PNs95rl/view>

Video Conferencing facility for the Jail Inmates

The facility of Video conferencing between Jail inmates and Legal Services Panel Lawyers has been provided in the State of Himachal Pradesh. **Hon'ble the Executive Chairperson**, the H.P. State Legal Services Authority has issued directions that jail inmates be made aware of the facility of video conferencing during legal awareness programmes for the Jail inmates and the Jail Authorities be sensitized to ensure that the benefit of this facility is availed by the Jail inmates. Legal Services Panel Lawyers are to be impressed upon for frequent use of this facility to interact with the jail inmates in legal aid cases. In order to facilitate Video Conferencing of the Jail Inmates with Legal Services Panel Lawyers, contact number of Legal Services Panel Lawyers engaged by District Legal Services Authorities/Sub Divisional Legal Services Committees to prosecute or defend the cases of Jail inmates has been made available in the Jail Clinics or with the Jail Superintendent of the Jail for information of the Jail inmates. The Secretary, District Legal Services Authority being Principal Officer of District Authority will ensure overall coordination with the stakeholders to secure maximum use of the facility of Video Conferencing for the benefits of the Jail inmates.

Activities of Mediation

During the month, **141** cases were referred by the different courts for Mediation throughout State, out of which **14** cases were settled through digital means.

Training Programme for PLVs

Broadcasting of "Kanoon Ki Baat" on All India Radio

During the month, **12 Radio talks** on "Kanoon Ki Baat" were aired on every Monday from 9:30 AM to 9:45 AM. The viewers were sensitized about the Labour Law, Crime and Punishment, Mediation, Civil Court Procedure etc. by Judicial Officers.

Lessons-in-Law

During the month, 3 Schools/colleges were covered in the State of H.P. by teaching "Lessons-in-Law/Kanooni Path" by Judicial Officers and Advocates. **186** students were taught Lessons-in-Law/Kanooni Path through digital mode.

Front Offices

45 front offices have been established .One in High Court and rest in all the District Legal Services Authorities and Sub Divisional Legal Services Committees. The front offices are manned by the Retainer Lawyers and Para Legal Volunteers who are providing quality Legal Services to the litigants and general public. **361** persons have benefited by way

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of Legal aid through the front offices during the period through digital modes.

Village Legal Care and Support Centres

The H.P. State Legal Services Authority is implementing the Para Legal Volunteer Scheme introduced by the National Legal Services Authority, New Delhi. At present **80** Village Legal Care and Support Centres are functional in State of H.P. and are being manned by Retainer Lawyers and Para Legal Volunteers. Para Legal Volunteers also organized awareness camps about MNREG, Scheme. **4092** persons were provided legal aid/advice during this period through these centres through digital modes.

Days Celebrated

Observation of Intellectual Property Right Day

The Intellectual Property Right Day was organized all over the State on 26th April, 2021. On this day, the Judicial Officers organized various camps and sensitized masses about their legal rights. The participants were made aware of various laws relating to Intellectual Property.

Observation of International Labour Day.

The International Labour Day was celebrated all over the State on 1st May, 2021. On this day, the Judicial Officers organized various camps and sensitized masses about their legal rights. The participants were made aware of various laws relating to Labour welfare.

Observation of World Day against Child Labour on 12th June, 2021.

The World Day against Child Labour was organized all over the State on 12th June, 2021. On this day, the Judicial Officers organized various camps and sensitized masses about legal rights of children. The participants were made aware of various laws relating to Child Labour.

Observation of World Day against Drug Abuse on 26th June, 2021.

The World Day against Drug Abuse was organized all over the State on 26th June, 2021. On this day, the Judicial Officers organized various camps and sensitized masses about their legal rights and ill effects of Drugs. The participants were made aware of various laws relating to Narcotic Drugs and Psychotropic substances.

Legal Aid Beneficiaries

The following number of persons were provided with Free Legal Aid during this quarter:

Month	SC	ST	Women	Children	In-Custody	Persons with disability	Industrial Workmen	General	Others	Total
April, 2021	19	5	108	1	16	1	1	34	23	208

May, 2021	2	0	36	7	11	0	2	5	10	
June, 2021	10	1	104	0	26	0	17	14	28	200
Total	31	6	248	8	53	1	20	53	61	481

YouTube Channels of District Legal Services Authorities to spread awareness by digital means

In View of Covid-19 pandemic, all the District Legal Services Authorities in the State of Himachal Pradesh have started YouTube channels in order to have a wider outreach for spreading legal awareness by way of digital means amongst general public. The Videos are being constantly uploaded on these YouTube channels.

Name of DLSA	YouTube channel link	Number of Videos uploaded
Chamba	https://www.youtube.com/channel/UCqjxSeK0JWPWXh4RcRC3yyg	6
Hamirpur	https://www.youtube.com/channel/UCP524tNheXN34CF_QE50zzQ	1
Kangra	https://www.youtube.com/channel/UCBeNoDEApEQ7itb2w_ElawQ	4
Kullu	https://www.youtube.com/channel/UCunFsCg3Pf8Cq2oKlepWALQ	11
Mandi	https://www.youtube.com/channel/UC5PLDboC2fmOb4_iMcPtw0w	6
Shimla	https://www.youtube.com/channel/UCW6u-Ezy4N_Cf9swPULrmew	12
Una	https://www.youtube.com/channel/UCsJI2nymglz1TqjvTGKfvHQ	10

Progress made in NALSA Schemes:

Pursuant to the launching of ten Schemes by NALSA, this authority has identified the districts in the State where the Scheme are to be implemented. The constitution of team of PLVs and the Panel Lawyers has been done for implementation of each scheme. Due to COVID-19 Pandemic in the State, the camps were organised digitally keeping in view the various advisories issued by the State Government from time-to-time. The district wise progress made by the District Legal Services Authorities in the ten Schemes is as under:-

Sr. No.	Name of the Schemes	Awareness Programmes/ Activities	No. of persons benefited
1	A scheme for Legal Services to Disaster Victims through Legal Services Authorities	13	132
2	NALSA (Victims of Trafficking and Commercial Sexual Exploitation) Scheme, 2015	16	214
3	NALSA (Legal Services to the Workers in the Unorganized Sector) Scheme, 2015	16	344
4	NALSA (Child Friendly Legal Services to Children and their Protection) Scheme, 2015	25	380
5	NALSA (Legal Services to the Mentally Ill and Disabled Persons) Scheme, 2015	8	63
6	NALSA (Effective Implementation of Poverty Alleviation) Scheme, 2015	15	163
7	NALSA (Protection and Enforcement of Tribal Rights) Scheme, 2015	7	73
8	NALSA (Legal Services to the Victims of Drug Abuse and Eradication of Drug Menace) Scheme, 2015	22	402
9	NALSA (Legal Services to Senior Citizens) Scheme, 2016	11	118
10	NALSA (Legal Services to Victims of Acid Attacks) Scheme, 2016	19	240
Total		152	2129

Meeting of High Powered Committee on 13.05.2021:

Pursuant to spread of Corona Virus (COVID-19) across the globe and it being declared as pandemic by WHO, Hon'ble Supreme Court of India took the issue of over-crowding of prisons, as a matter of serious concern, by way of Suo Motu Writ Petition (Civil) No. 1/2020, In Re: Contagion of COVID-19 virus in Prisons Hon'ble Supreme Court of India in order to prevent the outbreak of COVID-19 (Novel Corona virus) and to achieve the target of "social distancing" directed various measures to be taken by the concerned Governments/ Departments with the ultimate object of reducing the population of over-crowded jails. Apart from these directions, State Governments were directed to constitute a High Powered Committee consisting of:-

- (a) Executive Chairperson of State Legal Services Authority;
- (b) Principal Secretary Home;
- (c) Director General of Prisons;

In view of the aforesaid directions, in the year 2020, a High Powered Committee had been constituted under the Chairmanship of Hon'ble Mr. Justice Tarlok Singh Chauhan, Executive Chairman, HP State Legal Services Authority, Adll. Chief Secretary (Home) to the Government of Himachal Pradesh, Shimla, Shri Somesh Goyal, Director General of Prisons

& Correctional Services, Himachal Pradesh as its members, Sh. Prem Pal Ranta, Member Secretary, State Legal Services Authority as the Presenting Officer, to examine the current situation/risk of virus spreading in the prisons and recommend the release of prisoners on interim bail/parole based upon the situation in the concerned State to decongest the prisons by reducing overcrowding.

On the recommendation of the High Powered Committee;

- 236 convicts were released on parole in the Year, 2020 i.e. from 01/04/2020 to 31/12/2020.
- 04 undertrial prisoners were released on bail from the Jails by the order of respective Courts.
- Premature release cases of 22 life convicts confined in the Jails of Himachal Pradesh were placed before the H.P. State Sentence Review Board in the meeting held on 06/05/2020 and as per decision taken by the Competent Authority, 15 life convicts were released from the prison.

Due to unprecedented surge in the said virus, the Apex Court vide order dated 07.05.2021 in *Suo Motu Writ Petition (Civil) No. 1/2020, In Re: Contagion of COVID-19 virus in Prisons*, the meeting of High Powered Committee was held under the Chairpersonship of **Hon'ble Mr. Justice Ravi Malimath**, Judge, High Court of Himachal Pradesh and Executive Chairman, HP State Legal Services Authority through Video Conferencing on 13.05.2021 at 11.00 AM which was attended by **Hon'ble Mr. Justice Tarlok Singh Chauhan**, Judge, High Court of Himachal Pradesh as Special Invitee, Shri Manoj Kumar, Additional Chief Secretary (Home) to the Govt. of Himachal Pradesh and Shri N Venu Gopal, Director General (Prisons), Himachal Pradesh as Members and Shri Prem Pal Ranta, Member Secretary as the Presenting Officer. It was once again ordered to decongest the prisons by releasing the inmates on interim bail/parole. In the present year, 2021, i.e. from 01.01.2021 to 30.04.2021,

- 245 eligible convicts have been granted parole;
- 71 convicts are out of the Jails on parole; and
- 33 life convicts were also prematurely released from the Jails on the

recommendations of the H.P. State Sentence Review Board.

It was resolved that those convicts who are at present on parole, will be granted parole/special parole as per decisions of the High Powered Committee dated 27th March 2020 and who have surrendered on time will be entitled for an additional period of 90 days.

Further direction has been issued that the inmates as well as jail staff are entitled to proper medical facilities and COVID-19 safety equipments such as masks, sanitizers, PPE Kits (whenever required) etc. as per the existing protocol issued by the Health Department.

The Jail Superintendents shall maintain appropriate levels of hygiene and

sanitation in the jails and suitable precautions be taken to prevent the transmission of diseases among the inmates of the prison.

Second Meeting of High Powered Committee on 31.05.2021:

Pursuant to spread of Corona Virus (COVID-19) across the globe and it being declared as pandemic by WHO, as per the directions of Hon'ble Supreme Court of India passed in Suo Motu Writ Petition (Civil) No. 1/2020, in Re: Contagion of COVID-19 virus in Prisons, the second meeting of High Powered Committee was held under the Chairpersonship of **Hon'ble Mr. Justice Ravi Malimath**, Judge, High Court of Himachal Pradesh and Executive Chairman, HP State Legal Services Authority through Video Conferencing on 31.05.2021 which was attended by **Hon'ble Mr. Justice Tarlok Singh Chauhan**, Judge, High Court of Himachal Pradesh as Special Invitee, Shri R.D. Dhiman, ACS (Revenue & Forest), Govt. of Himachal Pradesh [Holding Additional Charge of ACS (Home)] and Shri N Venu Gopal, Director General (Prisons), Himachal Pradesh as Members and Shri Prem Pal Ranta, Member Secretary as the Presenting Officer.

It has been ordered to expedite the process of decongesting of the prisons by releasing the inmates on interim bail/parole. In this regard, it is submitted that in this present year, 2021, i.e. from 01.01.2021 to 30.04.2021:

1. 245 eligible convicts have been granted parole;
 2. 71 convicts are out of the Jails on parole; and
 3. 33 life convicts were also prematurely released from the Jails on the recommendations of the H.P. State Sentence Review Board.
 4. Overall occupancy rate of the Himachal Pradesh Prisons remains between 105% to 106%. Thus, there is 5% to 6% overcrowding in the Jails In this present year, 2021, i.e. from 01.05.2021 to 29.05.2021,
 5. 68 convicts, who are at present on parole, have been granted parole for an additional period of 90 days as on 29.05.2021 as per recommendations of High Powered Committee.
 6. 256 convicts have been granted special parole for a further period of 90 days on the same set of sureties or otherwise as per rules and necessary directions have been issued to the concerned Superintendent Jails to release them accordingly.
- Vaccination programme in all the Jails of Himachal Pradesh is being conducted by the Health & Family Welfare Department, Himachal Pradesh.
 - All Jail Staff and the prisoners above the age of 45 and those who are suffering from serious ailments have already been vaccinated.
 - All newly admitted prisoners are being medically examined and put

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- under observation in a separate barrack for 14 days.
- Adequate hand wash facilities with soap are being provided to the prisoners in the Jails, as well as, in the lines/Office.
 - Interviews of the prisoners were stopped for avoiding infection from outside person into the Jails.
 - All kind of leaves of Prisons Staff were stopped, except in emergent cases. Sufficient COVID protocol medicines were also kept in every Jail to tackle any situation.
 - All authorized entries in the Jail are permitted after their proper sanitization and thermal scanning.
 - Covid-19 situation in the Jails was also monitored by the Addl. Chief Secretary (Home) to the Government of Himachal Pradesh and the Director General of Prisons & Correctional Services, Himachal Pradesh through their regular meetings time to time.
 - Every possible care and precautions to prevent the spread of pandemic Covid-19 virus in the Jails of Himachal Pradesh are also being taken by the Jail Administration and the guidelines/directions issued by the Government of India, Ministry of Home Affairs, New Delhi and the State Government in the matter are being followed in letter and spirit.
 - Presently, Covid Care Centre is being constructed in the premises of Model Central Jail, Nahan with estimated cost of ₹9.50 Lakh.
 - The proposal for allocation of funds amounting to ₹45.00 Lakh (Rupees Forty Five Lakh) sent by the Director General of Prisons to ACS (Home) for purchase of medical equipment such as Masks, Sanitizers etc. is under consideration and sufficient funds will be allocated within a period of two/three days as stated by Member, ACS (Revenue & Forest) to the Govt. of Himachal Pradesh.
 - The Secretaries, DLSAs will actively coordinate with the Concerned Authorities at District and Sub-Divisional level to ensure that the directions issued by the High Powered Committee from time to time are implemented in letter & spirit at the ground level, and after verifying will submit reports on monthly basis to the Member Secretary, HP State Legal Services Authority for placing the same before the High Powered Committee.
 - Regular Monitoring of COVID-19 situation in the Jails and coordination amongst the implementing agencies at District and Sub-Divisional level is required for taking effective measures to curb

the spread of virus in prisons.

The Under Trial Review Committees are constituted at District level consisting of:-

1. District & Sessions Judge (Chairman)
2. District Magistrate (Member)
3. Superintendent of Police (Member)
4. Secretary, DLSA (Member)
5. Jail Superintendent (Member)

It was unanimously resolved that the Under Trial Review Committees constituted at District level will have regular monitoring of COVID-19 situation in the Jails during the existent pandemic and suggest effective measures to overcome the situation.

Quarterly Activities Report w.e.f. 1.7.2021 to 30.9.2021

Lok Adalats

National Lok Adalat held on 10th July, 2021 for (Pre-Litigation & Pending matters)

A National Lok Adalat for Pre-Litigation & Pending matters was organized on 10th July, 2021 under the guidance of Hon'ble Shri Justice Ravi Malimath, Acting Chief Justice, High Court of Himachal Pradesh & Executive Chairman, Himachal Pradesh State Legal Services Authority in all the Courts in the State of Himachal Pradesh.

In Total **18500** cases (**11844** Pre-litigation and **6737** pending matters) were taken up in the National Lok Adalat before different benches for settlement, out of which **7520** cases (**4668** pre-litigation and **2852** pending matters) were settled/disposed off. A sum of **₹36,25,48,594/-** (Rupees Thirty Six Crore Twenty Five Lakh Forty Eight Thousand Five Hundred Ninety Four only) was recovered/awarded in National Lok Adalat to the claimants. The State Legal Services Authority would also organize monthly Lok Adalats based on different subjects such as Matrimonial cases, Motor Accident cases, Bank Recovery suits etc. particularly in the districts, where pendency is on higher side for providing quick and timely justice to the litigants. Number of cases taken and disposed of was even highest since after March 2017.

Online/e-Lok Adalats

With a view to provide succor to the litigants, directions have been received from NALSA to explore the possibility of holding online/e-Lok Adalats. The purpose of initiating e-Lok Adalat is to facilitate online platform for the litigants to decide their cases during this Pandemic situation.

All the District Legal Services Authorities in the State of Himachal Pradesh are requested to hold online/e-Lok Adalat in the in the State with the aid of compatible SOPs harmonious with the provisions of National Legal Services Authority (Lok Adalat), Regulations 2009 and The

Himachal Pradesh Lok Adalat Scheme, 2005 for MACT cases, Criminal Compoundable Cases, Cases under Negotiable Instruments Act, Bank Recovery Cases etc. The social distancing norms and other advisories issued under COVID-19 Pandemic by competent authorities from time to time are to be strictly followed while preparing and conducting e-Lok Adalat at all stages.

Five (5) e-Lok Adalat has been conducted in the state of Himachal Pradesh for the month of July 2021 and the detail is as follows: -

Name of DLSAs	Total Cases Taken up	Total Cases Settled	Amount Awarded
Chamba	38	38	41200
Solan	360	25	7150

Lok Adalat – Janta ke Dwar for MV Challans.

As per data collected from different DLSAs, pendency of 1,45,619 cases is in the State of Motor Vehicle Challans. The DLSA wise detail of pendency is as under:-

S. No.	Name of DLSA	Pendency of Motor Vehicle Challans
1	Bilaspur	2,985
2	Chamba	1,448
3	Hamirpur	13,969
4	Kangra	7,814
5	Kinnaur	9,116
6	Kullu	38,822
7	Mandi	4,918
8	Shimla	47,318
9	Sirmaur	1,974
10	Solan	14,579
11	Una	2,676
Total		

The Government of Himachal Pradesh, Department of Transport has specified the authorities competent to compound the offences under Motor Vehicles Act.

In order to facilitate the settlement of these pending cases at the doorstep of the parties and liquidate the pendency, Hon'ble the Acting Chief Justice & Executive Chairman, H.P. State Legal Services Authority has been pleased to order an organisation of Special Lok Adalat - Janta Ke Dwar, in the entire State in association with District Administration, Police, Transport Authorities etc. in the month of August 2021 The modalities of the Special Lok Adalat may be as under:-

1. This Lok Adalat shall be organized by way of virtual as well as hybrid mode.
2. Police shall obtain contact details i.e. mobile number, email etc of parties and share with DLSAs/SDLSCs.

3. Owner(s) of the vehicle may be issued notices U/S-133 of Motor Vehicles Act by the Police for providing the particulars of the person, who was driving the vehicle at the time of reporting commission of offence.
4. The owner(s), who have failed to respond earlier to the notices, have also committed an offence punishable U/S-187 of Motor Vehicles Act and notice of the offence U/S-187 of MV Act may given to them separately by the Police
5. Notices may be sent to the parties through virtual, e-services or physical mode (anyone or more) as the case may be.
6. Pre-Lok Adalat sittings may be arranged for settlement. These sittings may be either video or tele-conferencing or physical with social distancing by associating Compounding Authorities. Consent given by the parties through e-mode for compounding the offence as well as willingness to pay the settlement amount be recorded.
7. The settlement during Pre-Lok Adalat sittings may be recorded then and there by the Compounding Authorities/Magistrates and be put for passing award on the day of Special Lok Adalat.
8. The authorities notified for compounding of the offences are to be associated on the day of Lok Adalat for composition of offences. The parties may settle the cases with the compounding authorities either through video or tele-conferencing (digital modes) or physical mode and thereafter Judge of Lok Adalat may pass award accordingly.
9. The amount collected as compounding fee will be deposited in the Head 0041-Taxes on vehicles, 101-receipt under the Indian Motor Vehicle Act, 04-Penalty.
10. For payment of compounding fee in the head aforesaid directly by the parties, concerned authorities may devise a mode or facilitate payment of compounding fee digitally/physically.
11. In addition to the modalities listed above, each DLSA may arrive at other suitable modalities while meeting with the Authorities concerned and make report about complete preparations & setting of modalities.

Organisation of Small impromptu “COVID-19 Awareness-cum-Impact Assessment Camps”

The awareness of the public to adhere strictly to COVID-19 protocol, do's and don'ts of COVID-19 and precautionary measures to be taken to combat expected third wave is required to be carried amongst the people at public places/tourist places, villages, towns etc., where large gathering is noticed.

In this background, Hon'ble Shri Justice Ravi Malimath, Acting Chief Justice, High Court of Himachal Pradesh & Executive Chairman, Himachal Pradesh State Legal Services Authority

has directed organisation of Public Awareness Programmes in all the Districts in the State in the following manner:-

1. Small impromptu “COVID-19 Awareness-cum-Impact Assessment Camps” be organised in transit series by Secretaries DLSAs in their respective jurisdiction, so that large number of public is made aware in series of camps in a day and to avoid footfall at one place during the existent pandemic situation.
2. Camps be organised at public/tourist places, villages, towns etc., where large gathering is noticed.
3. President of the Bar/Member(s), Local Administration, Local Police, Local PRIs & PLVs (Local) be associated in the team for awareness during these camps.
4. Public may be mobilised and encouraged to follow appropriate COVID-19 behaviour at public places such as maintaining social distancing, wearing masks, use of sanitizers etc. and voluntarily avoiding unnecessary visits to public places.
5. Voice of the public be heard during these small transit impromptu camps about the impact/situation of COVID-19 Pandemic and their cooperation be solicited for preparation of third wave.
6. Appropriate COVID-19 behavior be strictly followed during these series of camps.

The statics are as follows:

Number of Camps organised	Number of beneficiaries
1225	24413

Awareness Camps in Jails

In order to sensitize prisoners about their Legal rights, **37** digital Legal Awareness Camps were organized in the Jails by Judicial Officers. **3840** Prisoners were apprised through video conferencing about their legal rights/free legal services available to them.

Legal Services Clinics in Jails

Legal Services Clinics in jails have been established in all District Jail/Sub jails in the State of H.P. These Clinics are manned by the PLVs (Long Term Prisoners) and Retainer Lawyers. **186** persons were provided assistance through Legal Aid Clinics in Jail from 01.07.2021 to 30.09.2021 through digital means.

Awareness Camps in Juvenile Homes

The Secretaries, District Legal Services Authorities organized **52** Awareness Camps through digital means in various Juvenile Homes during the period and **1078** inmates were sensitized about their rights.

Legal Literacy Camps

During the period, **348** Legal Literacy Camps were organized by District Legal Services Authorities/Sub Divisional Legal Services Committees through digital means on

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different topics including the rights of women, Children and Senior Citizen, Right to Information, Consumer issues, different Welfare and Social security Schemes of the State and Central Government and various other topics as per schedule approved by this Authority. In **total 9984 persons** were benefited by attending the said camps.

Plantation Drive on Independence Day

A special plantation drive was organized on the occasion of 75th Independence Day by Himachal Pradesh State Legal Services Authority in collaboration with State Forest Department at Baghi Jubbar near Shimla. Hon'ble Acting Chief Justice, Himachal Pradesh High Court and Executive Chairman, H.P. State Legal Services Authority Shri Justice Ravi Malimath inaugurated the plantation drive by planting sapling of deodar on the occasion. The plantation drive was organized with an objective to improve the green cover in the area and to motivate the people of the state. About 550 saplings were planted in 1.5 hectare area during the plantation drive. Hon'ble Shri Justice Tarlok Singh Chauhan, Judge High Court of Himachal Pradesh also planted sapling of deodar on the occasion. Hon'ble Shri Justice Sureshwar Thakur, Hon'ble Shri Justice Vivek Singh Thakur, Hon'ble Shri Justice Sandeep Sharma, Hon'ble Shri Justice C.B. Barowalia, Hon'ble Ms. Justice Jyotsna Rewal Dua, Hon'ble Shri Justice Satyen Vaidya and Principal Chief Conservator Forest Ms. Savita also participated in the plantation drive. The Member Secretary State Legal Services Authority Shri Prem Pal Ranta welcomed the chief guest and other dignitaries on the occasion. Registrar General Shri Virender Singh, Session Judges, Registrars, DFO Shimla Shri Krishan Kumar and other government officers and officials were also present on the occasion.

Special Drive for The Protection of Rights of Children, who have lost parents, guardians or the sole breadwinner of family to the COVID-19 Pandemic.

The COVID-19 pandemic has caused a devastating affect PAN India with raging first and second wave of coronavirus. Third wave is expected as per opinion of the experts working in the field.

The cases of children losing their parents to COVID-19 are reportedly there. While some may have lost their both parents or the sole parent or children who have lost their legal guardian or adopted parent or children who have lost their sole bread winner for the family and others may be in a situation where a single surviving parent is unable to take care of them financially, psychologically, and in a holistic manner. These children may be in miseries and dire need of means of livelihood.

Government of India as well as State Government have come forward for helping such children and they need to be rehabilitated as per the existing provisions made by the Government and also as per various policies, schemes and guidelines, which are framed for

their welfare.

In this background, the Hon'ble Acting Chief Justice and Executive Chairman, H.P. State Legal Services Authority has been pleased to issue the following directions:-

1. All the DLSAs in the State will launch a month-long Special Drive in their respective district to reach out to the child/children, who have lost both parents or the sole parent or legal guardian, or adopted parent or sole bread winner of the family due to COVID-19 Pandemic.
2. DLSAs shall utilize the services of the functionaries of legal services institutions, PLVs, PRIs, SHGs, other Stakeholders etc. to reach out such child/children and bring the matter into the notice of Child Welfare Committee(s) for appropriate child protection order.
3. The DLSAs shall contact the grandparents and other close relatives of such child/children. Such child/children may be reunited with his/her/their relatives under the aegis of Child Welfare Committee(s) (CWC).
4. Wide publicity should be given to the provisions of the JJ Act, 2015 and the prevailing schemes of the Union of India and the State Governments/Union Territories which would benefit the affected children.
5. DLSAs shall coordinate with District and Sub-divisional Administration to arrange for food, clothes, medicines and shelters for them as per the existing arrangements made by the Government.
6. DLSAs shall also coordinate with the District Administration in the matter of grant of such benefits to the orphaned child as per the policy of the Government of India and the State Government.
7. DLSAs shall also coordinate for admission for such child/children in the schools and facilitate the completion of all the formalities for grant of scholarship as per their entitlements.
8. DLSAs shall enter the details of all such children, who have been identified and continue to monitor their wellbeing.
9. DLSAs shall liaison with appropriate authorities/organizations for expert counseling/psychological rehabilitation of such children
10. All precautions shall be taken not to disclose the identity of the child.

As per information gathered from all the District Legal Services Authorities regarding total number of children orphan and semi-orphan is as under:

Total no. of children who are Orphan	Total no. of children who are semi-orphan
45	686

The Legal Service Authority is taking steps with the concerned Authorities to

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provide them with the benefits under the relevant government schemes as framed by the State Government.

Meeting of the High Powered Committee held on 10th August, 2021 through Video Conferencing.

The third meeting of the High Powered Committee was held on 10th August, 2021 at 04:30 PM through Video Conferencing. The following were present:

1.	Hon'ble Shri Justice Ravi Malimath, Acting Chief Justice, High Court of Himachal Pradesh and Executive Chairman, HP State Legal Services Authority	Chairperson
2.	Hon'ble Shri Justice Tarlok Singh Chauhan, Judge, High Court of Himachal Pradesh	Special Invitee
3.	Shri Manoj Kumar, ACS (Home), Govt. of HP	Member
4.	Shri N Venu Gopal, Director General, Prisons, HP	Member
5.	Shri Prem Pal Ranta, Member Secretary, HP State Legal Services Authority	Presenting Officer

- The COVID-19 situation in the Jails of Himachal Pradesh is under control and being monitored by the Senior Officers at Headquarters and Jail Officers regularly.
- Proper precautionary measures are being taken by the respective Superintendent Jails for the prevention of Covid-19 cases.
- As on 28.07.2021, detail of inmates and staff tested positive, number of prisoners vaccinated etc.

Particulars	Male	Female	Total
Number of Prisoners Vaccinated	2241	116	
Number of inmates tested positive	0	0	0
Number of staff tested positive	0	0	0

- As on 28.07.2021 detail of jail capacity and occupancy in the State of Himachal Pradesh:-

S. No.	Particulars	Detail
1.	Total Capacity of Jails	2417
2.	Total Occupancy	2248
3.	Occupancy in Jails in the Month of May, 2021	105% to 106%
4.	Occupancy in Jails in the Month of June, 2021	101%
5.	Present Occupancy in Jails	93%
6.	Total No. of Convicts	443
7.	Total No. of Under Trials	1805
8.	No. of Foreigner Prisoners	153

- As on 28.07.2021 no under trial prisoner has been released on interim bail.
- 354 numbers of convicts were granted special parole for a period of 90 days as per rules and directions were issued to the concerned Superintendent Jails to release them, accordingly.
- 115 convicts who were on parole have been granted additional 90 days special parole.

- Till now, 469 (354 +115) convicts have been granted special parole by the Jail Authorities.
- The premature release cases of 11 life convicts confined in the jails of Himachal Pradesh were placed before the H.P. State Sentence Review Board's meeting held on 17.07.2021.
- Premature release cases of 04 life convicts have been recommended by the Himachal Pradesh State Sentence Review Board for the release.

The following matters were discussed:-

Compliance of Decisions of High-Powered Committee taken in its meeting held on 2nd July, 2021, in compliance to directions of Hon'ble Apex Court passed in Suo-Motu Writ Petition (C) No. 1/2020- In Re: Contagion of COVID-19 Virus in Prisons.

Item No. 1: Compliance report submitted by Additional Director General, Prisons and Correctional Services, Himachal Pradesh considered.

- There is no COVID – 19 positive inmate and staff in the jail as of today. COVID-19 situation in the jails is under control and being monitored regularly by the Senior Officers of Prison Headquarters and Jail Officers.
- Precautionary measures taken by Jail Administration should continue further in an effective manner.
- Monthly report be submitted.

Item No.2: The compliance of specific directions issued by the High Powered Committee in the last meeting held on 2nd July, 2021.

Compliance report(s) considered. The following directions are issued:-

- Status of under trial prisoners released on interim bail and convicts on parole and pre-mature release in compliance to the directions of the High Powered Committee be reported on monthly basis.
- About 60% of the items have been purchased from the funds allocated to the Prisons. Funds be optimally and meaningfully utilized. Utilization certificate along with the inventory of items purchased be maintained on the record by each prison. Communication in this regard be sent to the Member Secretary, HP SLSA by Jail Authorities for placing the same before the High Powered Committee in the next meeting.
- Reports submitted by Secretaries, DLSAs considered. Reporting on monthly basis shall continue in this regard.

Item No.3: To consider COVID-19 death cases for awarding compensation and benefit to their orphaned children.

Discussed. In the last meeting the matter of deceased prisoner Pawan Kumar, S/O Sh. Sadhu Ram, who was found Corona positive on his death, was sent

to the Administrative Department of Prisons to examine for considering to award some sort of compensation to the bereaved family of the victim.

ACS (Home) disclosed that there is no such scheme of the Government as of now to compensate the death of victim of COVID-19. The matter is being examined.

On the similar lines, the matter of deceased prisoner Charan Das, S/O Sh. Dhani Ram may be examined.

The Prisons Authority to send case(s) on completion of codal formalities to their Administrative Department to examine the matter for extending some benefit as per Government schemes and guidelines to the affected children of deceased prisoners namely Pawan Kumar, S/O Sh. Sadhu Ram and Charan Das, S/O Sh. Dhani Ram.

The Administrative Department of the Prisons to submit action taken report in this regard for placing the same before the High Powered Committee in the next meeting.

Item No. 4: Monitoring Team at District Level.

Report(s) considered. COVID-19 situation in all the jails in the state is stated to be normal and under control. Reporting on fortnightly basis shall continue in this regard.

Item No. 5: Availability of Medical and Child Care facilities in the Jails.

Discussed. Resolved to call prison-wise reports about the availability of medical facilities in the jails including availability of doctors, gynecologist, para-medical staff, stock of medicines, oximeters, oxygen cylinders/ concentrators, COVID-19 safety equipment's such as masks, sanitizers, PPE kits etc., isolation facilities, availability of beds and also the medical and other facilities available for children residing with their mothers in the jails.

Arrangements being made for the treatment of COVID-19 cases of the Jail Inmates outside the Jail premises under the security protocol.

The Competent Authority of Prisons & Correctional Services to submit the consolidated report in this regard for placing the same before the High Powered Committee in the next meeting.

Item No. 6: Any other item with the permission of Chair.

Next Meeting of the High Powered Committee will be held in the first week of September, 2021. The date and time to be intimated in due course.

Training Programme for Postman (Dak Sewak)

As per working plan to implement the collaborative project with department of Post, the training-cum-sensitization programme for Postmen (Rural/Urban Dak Sewaks) organised by the District Legal Services Authority through Physical/Digital Mode on the following topics:

- 1) Basic concepts of Legal Services
- 2) Services provided by the Legal Services Authorities
- 3) Functions of Legal Services Authorities
- 4) Free legal aid scheme and eligibility criteria of beneficiaries
- 5) How to enter particulars in legal aid form as per the need of beneficiaries
- 6) Legal Services Mobile App and it's features

Total No. of Training-cum-Sensitization Programme Conducted	Total No. of Postmen (Rural/Urban Dak Sewaks) participated
19	876

Legal Services during second wave of COVID-19

As per directions received from received from the Member Secretary NASLA, the H.P. State Legal Services Authority has notified landline numbers of Secretaries, District Legal Services Authorities and Chairmen, Sub Divisional Legal Services Committees will also serve as Special helpline for COVID-19 to cater to the needs of general public/legal aid seeker for redressal of the their grievances as mandated by the Legal Services Authorities Act, 1987. Furthermore the Free Legal Aid & advice is available 24x7 on state helpline no 15100.

The following directions have been issued to the District Legal Services Authorities and Sub-Divisional Legal Services Committees:

- The Secretaries, District Legal Services Authorities and Chairmen, Sub Divisional Legal Services Committees will depute a responsible person to attend to calls received on helpline number for COVID-19 and take up the matter with the District Administration to help the caller/needy person in every possible manner and to provide legal aid and legal services promptly during these challenging times.
- To issue a Press Note to give wide publicity to the helpline numbers.
- To deal e-mails relating to legal aid on day-to-day basis.
- To conduct Virtual Mediation in appropriate cases i.e. Matrimonial Disputes, Disputes under Section 138 of Negotiable Instrument Act, MACT etc.
- To prepare duty schedule of Remand Counsel and same be sent to the concerned Court and to the Police Stations well in advance.
- To conduct the meeting with Remand Counsel through digital mode to ensure effective rendering of legal services at early stages of Criminal Justice.

- To coordinate with concerned Jail Superintendent of their respective District(s) for conducting meeting between Prisoners and Legal Services Panel Lawyers through video conferencing and jail clinics to remain operational digitally.
- To identify the legal needs of Prisoners and provide timely legal services/aid to them.
- To expedite the matters of Victim Compensation under Victim Compensation Scheme framed by the State Government and NALSA.

Plantation drive of fruit bearing trees in the forest area.

The afforestation project was started in association with Forest & Education Departments by HP State Legal Services Authority in the **Year 2014 and onwards**. The State Government has institutionalized the project and formulated a scheme “**Vidhyarthi Van Mitra Yojana**”.

Due to existent COVID-19 Pandemic, schools are closed and we are unable to associate school children in the plantation drive.

In the Year 2020, the H.P. State Legal Services Authority had launched a campaign under the slogan “**वैद्यार्थी वन मित्र योजना, जैविक पौधों की कृषि**” by involving PRIs, Mahila Mandals, Yuvak Mandals, NGOs etc. during Monsoon. A total of **4,000 trees** were planted in the State.

In this background, as per directions of Hon’ble Acting Chief Justice & Executive Chairman of this Authority has launched Awareness-cum-Plantation Drive in the State during this Monsoon Season on the following lines:-

1. To continue the drive under the slogans “**वैद्यार्थी वन मित्र योजना, जैविक पौधों की कृषि**” and “**वैद्यार्थी वन मित्र योजना, जैविक पौधों की कृषि**”. The general public be made aware about environment safety, personal health & hygiene and encourage the people to grow medicinal plants in the wake of COVID-19 Pandemic during this drive. Objective is also to make food available to the wild life in and around their natural habitat and save the crops of the farmers from the damage being caused by the wild animals.
2. To coordinate with Forest Department for effective implementation of the drive.
3. The Chairman, DLSA will start this Awareness-cum-Plantation Drive in their respective Jurisdiction in coordination with Forest Department.
4. During this Awareness-cum-Plantation Drive, Local Administration, Police, PRIs, Mahila Mandals, Yuvak Mandals, PLVs be associated.
5. All advisories issued by the Competent Authorities from time to time regarding COVID-19 Pandemic be strictly followed.
6. Wide publicity be given in Print & Electronic Media.

Highlights of Legal Services Activities taken on 17.09.2021

Display of NALSA theme song and documentaries

1. NALSA theme song & documentaries were played on digital screens at the Mall Shimla, Atal Sadan Kullu and Seri Manch Mandi and also at various locations throughout the State during camps and awareness programmes organized in Village Legal Care & Support Centers, ADR Centers, Front Offices, Panchayats, Rural & Difficult Areas etc.

Awareness through Mobile Van, HPSLSA

1. DLSA Shimla spread the awareness about legal services through mobile van and displayed NALSA theme song and documentaries etc. at various places.
2. IEC material also distributed at various places.
3. More than one thousand people were sensitized and benefited.

Holding Legal Aid Clinics/Camps

1. Legal aid camps/clinics were held in **80** Village Legal Care and Support Centers and also in Colleges and Universities across the State.
2. Legal aid clinics held - **92**
3. Panel Lawyers/PLVs deployed – **150**
4. No. of Beneficiaries Covered – **16,218**

Legal Aid Awareness Programmes

1. Legal aid awareness programmes were held in all eleven DLSAs.
2. No. of Villages/Panchayats Covered – **330**.
3. No. of Camps held – **337**.
4. No. of Persons Covered – **38,341**.

Legal Advice through Tele-Law Services

1. In District Chamba legal advice was given to marginalized sections of the society and poor beneficiaries through tele-law centre with help of Panel Lawyers covering 54 beneficiaries.

Programmes for Jail Inmates and CCIs

1. Almost in every district, programmes were held for jail inmates and inmates of CCIs etc.

Programmes for Women

1. Programmes for women in tribal/rural areas were held.

Virtual/Physical Legal Services Programmes in Remote, Rural, Tribal, Difficult Areas

1. Legal Awareness programme held in **GP Langza (Village Komic)**. It is the highest village in the world situated at **15500 feet above sea level** connected with motorable road.
2. Awareness programme organized at **GP Chitkul** through tele-conference. Chitkul is the last village of old trade route situated at the height of **14928 feet above sea level** towards Tibet border. Last point in India, one can travel without a permit.
3. Awareness programme held in **Old Age Home situated at Kee (Kaza)** situated at **13,668 feet above sea level** and **211 Kms from District Headquarters** from Reckong Peo.
4. A camp held at **remote Panchayat Darcha at Lahaul** situated at **11,020 above sea level** which is **120 Kms** away from District Headquarters.
5. In Shimla District camp held at **Kawar (Remotest Village from Shimla 210 Kms)** and some other camps held at **village Badola** and some other places which are more than **160 Kms** away from District Headquarters.
6. Camp held at villages **Aura, Durgheti, Chanhonta, Khani, Shaanh in Bharmour Sub-division** approximately **100-150 Kms** away from District Headquarters **Chamba**.
7. A camp held at **GP Pounta, Sarkaghat, Mandi** which is about **150 Kms** from District Headquarters Mandi and similarly at equal distance few more camps held at **Seri Banglow, Mehad, District Mandi**.
8. Camps held at **GP Bakhras, GP Koti, GP Palhori, GP Kasoga** which are more than **120 Kms** away from District Headquarters Nahan.

Video Conferencing facility for the Jail Inmates

The facility of Video conferencing between Jail inmates and Legal Services Panel Lawyers has been provided in the State of Himachal Pradesh. **Hon'ble the Executive Chairman**, the H.P. State Legal Services Authority has issued directions that jail inmates be made aware of the facility of video conferencing during legal awareness programmes for the Jail inmates and the Jail Authorities be sensitized to ensure that the benefit of this facility is availed by the Jail inmates. Legal Services Panel Lawyers are to be impressed upon for frequent use of this facility to interact with the jail inmates in legal aid cases. In order to facilitate Video Conferencing of the Jail Inmates with Legal Services Panel Lawyers, contact number of

Legal Services Panel Lawyers engaged by District Legal Services Authorities/Sub Divisional Legal Services Committees to prosecute or defend the cases of Jail inmates has been made available in the Jail Clinics or with the Jail Superintendent of the Jail for information of the Jail inmates. The Secretary, District Legal Services Authority being Principal Officer of District Authority will ensure overall coordination with the stakeholders to secure maximum use of the facility of Video Conferencing for the benefits of the Jail inmates.

Activities of Mediation

During the month, **285** cases were referred by the different courts for Mediation throughout State, out of which **46** cases were settled through digital means.

Training Programme for PLVs

Training Programme for PLVs

Training Programme has been organized for Empanelled Legal Services Lawyers and Para Legal Volunteers as per Training Modules of NALSA for Legal Services Panel Lawyers and Para Legal Volunteers and Schemes of NALSA/State. The details as under:

	Total No. of Training Programme Conducted	Total No. of Participants
Legal Services Panel Lawyers	23	295
Para Legal Volunteers	34	219

Other Activities

Broadcasting of “Kanoon Ki Baat” on All India Radio

During the month, **13 Radio talks** on “Kanoon Ki Baat” were aired on every Monday from 9:30 AM to 9:45 AM. The viewers were sensitized about the Labour Law, Crime and Punishment, Mediation, Civil Court Procedure etc. by Judicial Officers.

Lessons-in-Law

During the month, 3 Schools/colleges were covered in the State of H.P. by teaching “Lessons-in-Law/Kanooni Path” by Judicial Officers and Advocates. **4921** students were taught Lessons-in-Law/Kanooni Path through digital mode.

Front Offices

45 front offices have been established one in High Court and rest in all the District Legal Services Authorities and Sub Divisional Legal Services Committees. The front offices are manned by the Retainer Lawyers and Para Legal Volunteers who are providing quality Legal Services to the litigants and general public. **998** persons have benefited by way of Legal aid through the front offices during the period through digital modes.

Village Legal Care and Support Centres

The H.P. State Legal Services Authority is implementing the Para Legal Volunteer Scheme introduced by the National Legal Services Authority, New Delhi. At present **80** Village Legal Care and Support Centres are functional in State of H.P. and are being manned by Retainer Lawyers and Para Legal Volunteers. Para Legal Volunteers also organized awareness camps about MNREG, Scheme. **5122** persons were provided legal aid/advice during this period through these centres through digital modes.

Days Celebrated

Observation of Independence Day of 15th August 2021

The Independence day was observed on 15th August 2021 all over the State. On this day, the Judicial Officers organized various camps by digital means and sensitized masses about their legal rights. The participants were made aware of various laws and welfare schemes of State Government and Central Government.

Observation of Senior Citizens Day on 21st August 2021

The Senior Citizens day was observed on 21st August 2021 in all over the State. On this day, the Judicial Officers organized various camps by digital means and sensitized masses especially Senior Citizens about various schemes of NALSA/Central Government/State Government and Laws relating to senior citizens. 11 Awareness Camps were organized during the period and 500 persons were benefited.

Observation of International Literacy Day on 8th September 2021

The **International Literacy Day** was observed on **8th September 2021** all over the State. On this day, the Chairmen/Secretaries, District Legal Services Authorities and Chairmen, Sub-Divisional Legal Services Committees organized various camps by digital means and sensitized masses about the background and importance of this day and moto of securing human dignity and protection of human right with which the day is being celebrated. **14** awareness camps were organized and **497** participants were benefited.

Observation of International Day for Preservation of the Ozone Layer on 16.9.2021

The **International Day for Preservation of the Ozone Layer** was observed on **16th September 2021** all over the State. On this day, the Chairmen/Secretaries, District Legal Services Authorities and Chairmen, Sub-Divisional Legal Services Committees organized various camps by digital means and sensitized masses about the importance of Ozone to our environment by highlighting concept of Ozone layer, reason for depletion and how to preserve it. **10** awareness camps were organized and **567** participants were benefited.

Legal Aid Beneficiaries

The following persons were provided with Free Legal Aid during this quarter:

Month	S C	S T	Wome n	Childre n	In- Custod y	Person s with disabilit y	Industri al Workme n	Gener al	Other s	Tot al
July, 2021	30	10	213	20	32	2	0	39	46	392
August, 2021	15	-	134	-	24	1	-	38	9	221
Septemb er, 2021	40	9	314	5	41	3	2	97	54	565
Total	85	19	661	25	97	6	2	174	109	117 8

YouTube Channels of District Legal Services Authorities to spread awareness by digital means

In View of Covid-19 pandemic, all the District Legal Services Authorities in the State of Himachal Pradesh have started YouTube channels in order to have a wider outreach for spreading legal awareness by way of digital means amongst general public. The Videos are being constantly uploaded on these YouTube channels.

Name of DLSA	YouTube channel link	Number of Videos uploaded
Bilaspur	https://www.youtube.com/channel/UCPdBaofkFead9oHHD8IFI3g	1
Chamba	https://www.youtube.com/channel/UCqjxSeK0JWPWXh4RcRC3yyg	9
Hamirpur	https://www.youtube.com/channel/UCP524tNheXN34CF_QE50zzQ	1
Kangra	https://www.youtube.com/channel/UCBeNoDEApEQ7itb2w_ElawQ	3
Kinnaur	https://www.youtube.com/channel/UCSemvo2D-BvdVq0usJEfLsQ	1
Mandi	https://www.youtube.com/channel/UC5PLDboC2fmOb4_iMcPtw0w	1
Shimla	https://www.youtube.com/channel/UCW6u-Ezy4N_Cf9swPULrmew	7
Sirmaur	https://www.youtube.com/channel/UC-egg0NO93wHt6SCtWQ503Q	63
Solan	https://www.youtube.com/channel/UCkc040RkEo73nehGyZ-gf8A	6
Una	https://www.youtube.com/channel/UCsJI2nymglz1TqjvTGKfvHQ	8

Victim Compensation:

In **179** cases, a sum of ₹3,50,45,000/- (**Rupees Three Crore Fifty lakh forty five thousand only**) has been released to victims as compensation under Victim Compensation Scheme during the current financial year upto 31st July, 2021.

Progress made in NALSA Schemes:

Pursuant to the launching of ten Schemes by NALSA, this authority has identified the districts in the State where the Scheme are to be implemented. The constitution of team of PLVs and the Panel Lawyers has been done for implementation of each scheme. Due to COVID-19 Pandemic in the State, the camps were organised digitally keeping in view the various advisories issued by the State Government from time-to-time. The district wise progress made by the District Legal Services Authorities in the ten Schemes is as under: -

Sr. No.	Name of the Schemes	Awareness Programmes/ Activities	No. of persons benefited through
1	A scheme for Legal Services to Disaster Victims through Legal Services Authorities	18	494
2	NALSA (Victims of Trafficking and Commercial Sexual Exploitation) Scheme, 2015	25	1050
3	NALSA (Legal Services to the Workers in the Unorganized Sector) Scheme, 2015	24	977
4	NALSA (Child Friendly Legal Services to Children and their Protection) Scheme, 2015	23	696
5	NALSA (Legal Services to the Mentally Ill and Disabled Persons) Scheme, 2015	18	494
6	NALSA (Effective Implementation of Poverty Alleviation) Scheme, 2015	18	494
7	NALSA (Protection and Enforcement of Tribal Rights) Scheme, 2015	18	494
8	NALSA (Legal Services to the Victims of Drug Abuse and Eradication of Drug Menace) Scheme, 2015	21	631
9	NALSA (Legal Services to Senior Citizens) Scheme, 2016	23	967
10	NALSA (Legal Services to Victims of Acid Attacks) Scheme, 2016	26	608
Total		214	6905

Quarterly Activities Report w.e.f. 1.10.2021 to 31.12.2021**Lok Adalats**

Annual Report 2021-22 (updated upto 31.03.2022)

National Lok Adalat held on 11th December 2021 for (Pre-Litigation & Pending matters)

A National Lok Adalat for Pre-Litigation & Pending matters was organized on 11th December, 2021 under the guidance of Hon'ble Executive Chairperson, Himachal Pradesh State Legal Services Authority in all the Courts in the State of Himachal Pradesh.

In Total **26,149** cases (**15,598** Pre-litigation and **10,551** pending matters) were taken up in the National Lok Adalat before different benches for settlement, out of which **10,793** cases (**5258** pre-litigation and **5495** pending matters) were settled/disposed off. A sum of **₹59,31,97,763/-** (Rupees Fifty Nine Crore Thirty One Lakh Ninety Seven Thousand Seven Hundred Sixty Three only) was recovered/awarded in National Lok Adalat to the claimants.

Special Lok Adalat for M.V. Challan under Motor vehicle Act.

Special Lok Adalat was organized in three districts i.e. Chamba, Mandi and Kinnaur at Reckong Peo as per detail given below:-

Month/Year	Total No. of M.V. Challan	Total no of cases settled	Compounding fee collected
November, 2021	1696	284	2,38400/-

Organization of Small impromptu "COVID-19 Awareness-cum-Impact Assessment Camps"

The awareness of the public to adhere strictly to COVID-19 protocol, do's and don'ts of COVID-19 and precautionary measures to be taken to combat expected third wave is required to be carried amongst the people at public places/tourist places, villages, towns etc., where large gathering is noticed.

In this background, Hon'ble Shri Justice Ravi Malimath, Acting Chief Justice, High Court of Himachal Pradesh & Executive Chairman, Himachal Pradesh State Legal Services Authority has directed organization of Public Awareness Programmes in all the Districts in the State in the following manner:-

7. Small impromptu "COVID-19 Awareness-cum-Impact Assessment Camps" be organized in transit series by Secretaries DLSAs in their respective jurisdiction, so that large number of public is made aware in series of camps in a day and to avoid footfall at one place during the existent pandemic situation.
8. Camps be organized at public/tourist places, villages, towns etc., where large gathering is noticed.
9. President of the Bar/Member(s), Local Administration, Local Police, Local PRIs & PLVs (Local) be associated in the team for awareness during these camps.
10. Public may be mobilized and encouraged to follow appropriate COVID-19 behavior at public places such as maintaining social distancing, wearing masks, use of sanitizers etc. and voluntarily avoiding unnecessary visits to public places.
11. Voice of the public be heard during these small transit impromptu camps about the impact/situation of COVID-19 Pandemic and their cooperation be solicited for preparation of third wave.
12. Appropriate COVID-19 behavior be strictly followed during these series of camps.

The statistics are as follows:-

Number of Camps organised	Number of beneficiaries
437	13600

Legal Literacy Camps

During the period, **437** Legal Literacy Camps were organized by District Legal Services Authorities/Sub Divisional Legal Services Committees through digital means on different topics including ADR mechanism at the Gram Panchayat level. To identify legal Aid Beneficiary in coordination with Panchayati Raj Institutions, Local bodies, etc. NALSA's Compensation Scheme for Women Victims/Survivors of Sexual Assault/other Crimes – 2018/ They Himachal Pradesh (Victim of Crime) Compensation Scheme, 2019 or any other laws, different Welfare and Social security Schemes of the State and Central Government and various other topics as per schedule approved by this Authority. In **total 13600 persons** were benefited by attending the said camps.

Programmes conducted under the NALSA-NCW Collaborative Project “Empowerment of Women through Legal Awareness”

The Chairmen/Secretaries, District Legal Services Authorities and Chairmen, Sub-Divisional Legal Services Committees organized legal awareness programme on “Empowerment of Women” in coordination with NCW under the NALSA-NCW Collaborative Project and sensitized the women about the importance Domestic Violence Act and other welfare schemes of etc.. by way of Lecture, Distribution of Study Material & Interactive Session conducted by the Resource Persons nominated for the purpose. **26** awareness camps were organized and **1149** women were benefited.

Legal Awareness Programme for Transgender

Legal Awareness Programme for Transgender organized in coordination with Social Justice Department on the Transgender persons (Protection of Rights) Act, 2019 the main idea of organizing such programme is to coordinate with appropriate authority for taking steps to secure full and effective participation of transgender persons and their inclusion in society and also to take appropriate measures to promote and also to take appropriate measures to promote and protect the right of transgender persons to participate in cultural and recreational activities, etc.. **07** awareness camps were organized and **84** participants were benefited.

Organization of Mega Camp

On 13th November 2021, Legal Services Camp (mega camp) was organized all over the State in coordination with concerned department. On this day, the Chairmen/Secretaries, District Legal Services Authorities and Chairmen, Sub-Divisional Legal Services Committees organized various camps and sensitized masses on the following topics:

- Entitlement of Free Legal Aid etc. under the Legal Services Authorities Act 1987 and Rules and Regulations framed by the Himachal Pradesh State Legal Services Authority.
- ADR Mechanism.
- NALSA's Compensation Scheme for Women Victims/Survivors of Sexual Assault/other Crimes – 2018
- Himachal Pradesh (Victim of Crime) Compensation Scheme. 2019.
- Welfare schemes of NALSA/State Government.

10 awareness camps were organized and **1534** participants were benefited.

Door to Door Campaign

Door to Door Campaign conducted by the Para Legal Volunteer of Village Legal Care and Support Centre and Front Office of DLSA/SDLSC and Anganwadi/Asha Worker for creating awareness in the General Public in town, villages about services provided by the legal services institutions and also distribute pamphlet prepared by the Himachal Pradesh State Legal Services Authority. In total **8633** villages were covered and **707250** persons were sensitized.

Visit of District Jail, Kaithu by the Hon'ble Executive Chairperson

On the occasion of Human Right Day on 10th December, 2021 a Legal Literacy and Awareness Programme has been organized by District Legal Services Authority Shimla District Jail, Kaithu. **Hon'ble Smt. Justice Sabina, Judge, High Court of Himachal Pradesh and Executive Chairperson of Himachal Pradesh State Legal Services Authority** presided over the function and interacted with Jail Inmates.

Visit of Balika Ashram Tuttikandi by the Hon'ble Executive Chairperson

The **Hon'ble Executive Chairperson** has also visited Balika Ashram, Tuttikandi and interacted with the inmates of Ashram on the occasion of Human Rights Day.

Visit of Hon'ble Executive Chairperson during National Lok Adalat held on 11.12.2021

Hon'ble Smt. Justice Sabina, Judge, High Court of Himachal Pradesh and Executive Chairperson, H.P. State Legal Services Authority personally supervised the functioning of

National Lok Adalat held on 11.12.2021 at District Court Shimla, District Court Solan and Sub Divisional Court at Kandaghat.

Mega Legal Literacy and Legal Awareness Programmes: A Special Drive

During Pan India Outreach and Awareness Programmes, Legal Services Institutions i.e. District Legal Services Authorities and Sub Divisional Legal Services Committees have been able to reach out to more than 20,000 Villages in the State of H.P. This kind of campaign needs continuity so that the tempo of effective legal empowerment programmes and awareness on relevant issues are taken to the rural areas where more than 90% of the population reside in the State.

To hear the voice of the public and interaction with participants is very useful to gather impact assessment of the camps previously organized as it also gives us an idea of local issues and problems faced by the public at large, particularly by the weaker and vulnerable sections of the society besides those who are living in abject poverty.

As per the direction of **Hon'ble Smt. Justice Sabina, Judge High Court of Himachal Pradesh and Executive Chairperson, Himachal Pradesh State Legal Services Authority**, Mega Legal Literacy and Legal Awareness Programmes was organized for the general public at each Sub Divisional Legal Services Committee's level in the month of January, 2022 as per the following guidelines: -

- In coordination with local Administration, Police, Welfare Department and other local Departments of the Government.
- In coordination with NGO's, self Help Groups, Women Organizations, local Bodies, Panchayats etc.
- Emphasis may be on legal aid/services, Victim Compensations Schemes, issues relating to drop out children, legal services to differently disabled children, Women empowerment, legal services to Senior Citizens, legal services to Mentally Ill & Mentally disabled persons and Victims of Human Trafficking, NALSA scheme for Poverty Alleviation, legal services to victims of Drug Abuse and Eradication of Drug Menace etc.
- These camps be organized by Sub Divisional Legal Services Committees preferably on a holiday. Secretary, DLSAs shall coordinate the organization of such camps.

Special Awareness Campaign and organization of Blood Donation-cum-Awareness Camps

As per direction of Hon'ble Smt. Justice Sabina, Judge High Court of Himachal Pradesh and Executive Chairperson, Himachal Pradesh State Legal Services Authority, a Special Awareness Campaign and organization of Blood Donation-cum-Awareness Camps was initiated as under:

- To organize **Blood Donation-cum-Awareness Camps** in coordination with District Health Authorities. The blood collected from the voluntary donors may be supplied to the needy ones including legal aid entitled beneficiaries by making necessary coordination with the health authorities.
- To launch a campaign in respective district/division to reach out the drop-out children and their parents/guardians and to connect them with the mainstream in active coordination with schools/colleges by associating PRIs, Mahila Mandals Local Bodies, Experts, Counsellors, Functionaries of Child and Women Welfare Department, NGOs, Voluntary Organizations by providing necessary mentoring, tutoring, counselling especially for substance abuse, violence prevention, community service and involving them in recreational activities.
- To conduct **Special Awareness Drive** in respective jurisdiction of each DLSA to reach out the transgender community to hear their problems and to take necessary steps to coordinate with the competent authorities to redress their problems. Also to ensure that they are given equal protection of their rights and privileges by the concerned authorities. Further to encourage transgender to join Legal Services Institutions as Para Legal Volunteers.

Webinar on the topic “The Role of Legal Services Authorities in Protection of Human Rights”

On 26th December, 2021 on the occasion of Azaadi ka Amrit Mahotasav Umang Foundation organized a webinar on topic “The Role of Legal Services Authorities in Protection of Human Rights”. **Sh. Prem Pal Ranta, Member Secretary, Himachal Pradesh State Legal Services Authority** was the key speaker in the webinar. He apprised all the participants about Legal Services and Human Rights and also answered the questions asked by participants. Approximately 80 persons participated in this webinar.

Special Vidhik Saksharata Shivar (Legal Awareness Camp)

In order to aware general masses about their Legal Rights **13** physical Special Vidhik Saksharata Shivar (Legal Awareness Camp) were organized by the Secretaries,

DLSA/Chairman SDLSCs, legal aid functionaries and Officials of the Government Department at public places within the vicinity of Municipal Corporation/Counsel/Nagar Panchayat. **812** persons general masses were apprised about the following topics: -

- Importance of Preamble, Rights, Fundamental Duties and Constitutional Remedies.
- Importance of Litigation- Mediation – Lok Adalat – Solution.
- Legal Aid Schemes of NALSA/State and identification of legal aid beneficiaries.
- Persons with Disabilities.

Vidhik Saksharata Shivir (Legal Awareness Camp) for Mahila Mandals

11 Vidhik Saksharata Shivir (Legal Awareness Camp)for Mahila Mandals at Panchayat level were organized by the Secretaries, DLSA/Chairman SDLSCs, lawyers as Resource Persons with the help of Para Legal Volunteers at Village Legal Care and Support Centre. **729** women were apprised on the following topics: -

- In relation to women and children in need of care and protection.
- Right of Women and on Protection of Women from Domestic Violence Act.
- Legal Aid Schemes of NALSA/State.

Vidhik Saksharata Shivir (Legal Awareness Camp) for Yuvak Mandals

10 physical Vidhik Saksharata Shivir (Legal Awareness Camp) for Yuvak Mandal were organized by the Secretaries, DLSA/Chairman SDLSCs, legal aid functionaries, Officials of the Government Department and Para Legal Volunteers at cluster of Village. **449** Yuvak Mandal were apprised of the following topics: -

- Spreading of ill effects of illegal sale or consumption of narcotic substances(drugs).
- Legal Aid Schemes of NALSA/State.

Vidhik Saksharata Shivir (Legal Awareness Camp) for Asha/Anganwadi Workers

5 Vidhik Saksharata Shivir (Legal Awareness Camp) for Asha/Anganwadi Workers were organized by the Secretaries, DLSA/Chairman SDLSCs, legal aid functionaries, and Para Legal Volunteers at Villages. **270** Asha/Anganwadi Workers were apprised as to legal aid schemes of NALSA/State Government.

Vidhik Saksharata Shivir (Legal Awareness Camp) for Members of Panchayati Raj Institutions

7 Vidhik Saksharata Shivir (Legal Awareness Camp) for members of Panchayati Raj Institutions were organized by the Secretaries, DLSA/Chairman SDLSCs, incoordination with Block Development Officer at block level, in relation to their Judicial Functions, legal aid schemes of NALSA/HPSLSA. **381** members of Members of Panchayati Raj Institutions were sensitized.

Awareness Camps in Jails

In order to sensitize prisoners about their Legal rights, **37** digital Legal Awareness Camps were organized in the Jails by the Secretaries, DLSAs and other Legal Aid Functionaries. **2755** prisoners were apprised through video conferencing on the following topics:

- Right of Prisoners and corresponding duties of the Jail custodians in ensuring the protection of their right.
- Plea Bargaining
- Standard Operating Procedure (SOP) issued by NALSA
- Parole
- Furlough,
- Pre-mature release etc.

Legal Awareness Programme for providing legal assistance at Pre-Arrest, Arrest and Remand Stage.

Legal Awareness Programme organized by Secretaries, DLSAs and Chairmen, SDLSCs involving Police officers, stakeholders, beneficiaries and Remand Counsel(s) deputed for providing legal assistance at Pre-Arrest, Arrest and Remand stage on the following topics:-

- Maximizing the Early Access to suspects at Pre-Arrest Stage
- Early Access to Justice at Pre-Arrest, Arrest and Remand stage
- Rights of the arrested persons
- Jurisprudence of Section 41 to 41 (D) of Code Of Criminal Procedure
- Duties and functions of Legal Aid Counsel under H.P. Legal Aid Counsel Scheme, 2003.

15 awareness camps were organized and **227** participants i.e. SHOs, IOs, Remand Counsels and other Stakeholders were sensitized.

Legal Services Clinics in Jails

Legal Services Clinics in jails have been established in all District Jails/Sub jails in the State of H.P. These Clinics are manned by the PLVs (Long Term Prisoners) and Retainer Lawyers. **219** persons were provided assistance through Legal Aid Clinics in Jail through digital means.

Awareness Camps in Juvenile Homes

The Secretaries, District Legal Services Authorities organized **50** Awareness Camps through digital means in various Juvenile Homes and **1011** inmates were sensitized

about their rights and different Welfare and Social security Schemes of the State and Central Government/NALSA Schemes.

Activities of Mediation

During the month, **340** cases were referred by the different courts for Mediation throughout State, out of which **54** cases were settled.

Training Programme

Training Programme for Legal Services Panel Lawyers and PLVs

Training Programme has been organized for Empanelled Legal Services Lawyers and Para Legal Volunteers as per Training Modules of NALSA for Legal Services Panel Lawyers and Para Legal Volunteers and Schemes of NALSA/State. The details as under:

Training Programme Conducted for Panel Lawyers/PLVs	Total No. of Training Programme Conducted	Total No. of Participants
Panel Lawyers	21	262
Para Legal Volunteers	217	208

Training Programme for Postman (Dak-Sewak)

As per working plan to implement the collaborative project with department of Post, the training-cum-sensitization programme for Postmen (Rural/Urban Dak Sewaks) organised by the District Legal Services Authority through Physical/Digital Mode on the following topics:

- 1) Basic concepts of Legal Services
- 2) Services provided by the Legal Services Authorities
- 3) Functions of Legal Services Authorities
- 4) Free legal aid scheme and eligibility criteria of beneficiaries
- 5) How to enter particulars in legal aid form as per the need of beneficiaries
- 6) Legal Services Mobile App and it's features preserve it.

Total No. of Training-cum-Sensitization Programme Conducted	Total No. of Postmen (Rural/Urban Dak Sewaks) participated
31	1628

Important Days Observed

Observation of Children's Day on 14th November 2021

The **Children's Day** was observed on **14th November 2021** all over the State. On this day, the Chairmen/Secretaries, District Legal Services Authorities and Chairmen,

Sub-Divisional Legal Services Committees organized various camps and sensitized the students and teachers of colleges and schools about the importance of NALSA (Child Friendly Legal Services to children and their protection) Scheme, 2015, Protection of our Children (POCSO Act and Child Marriage Act, Fundamental Duties, Fundamental Rights, Anti Raging Law etc.. **12** awareness camps were organized and **572** participants were benefited.

Observation of Constitution Day on 26th November 2021

The **Constitution Day** was observed on **26th November 2021** all over the State. On this day, the Chairmen/Secretaries, District Legal Services Authorities and Chairmen, Sub-Divisional Legal Services Committees organized various camps and sensitized the general masses, members of Bar Associations of District/Sub-Division level, members of Panchayati Raj Institution etc. about the importance of Preamble of Constitution, Fundamental Duties, Fundamental Rights, Importance of Constitution Day and also pledge by reading Preamble administered to the participants and staff members of ADR Centre and Court. **31** awareness camps were organised and **2025** participants were benefited.

Observation of “Disability Day” on 3rd December, 2021.

The Disability Day was observed on 3rd December, 2021 all over the State. On this day, the Judicial Officers organised Awareness Programmes and Camps to educate the general masses about various Government Schemes for the benefit of disabled persons, provisions of free legal aid and other welfare schemes of the Government throughout the State by hybrid mode. **7** awareness camps were organised and **531** participants were benefited.

Observation of “Human Rights Day” on 10th December, 2021.

The Human Rights Day was observed on 10th December, 2021 all over the State. On this day, the Judicial Officers organised Awareness Programmes and Camps to educate the general masses including inmates of Child Care Institutions, Jails, Students of School, slum areas etc. about various provisions of Human Rights, provisions of free legal aid and other welfare schemes of the Government throughout the State. **22** awareness camps were organised and **971** participants were benefited.

Observation of “World Energy Conservation Day” on 14thDecember, 2021.

The World Energy Conservation Day was observed on 14thDecember, 2021 all over the State. On this day, the Judicial Officers organised Awareness Programmes and Camps to educate the general masses about importance of conservation of energy, fundamental duties, Constitution of India, provisions of free legal aid and other welfare

schemes of the Government/NALSA throughout the State by hybrid mode. **22** awareness camps were organised and **837** participants were benefited.

Other Activities

Broadcasting of “Kanoon Ki Baat” on All India Radio

During the month, **12** Radio talks on “Kanoon Ki Baat” were aired on every Monday from 9:30 AM to 9:45 AM. The viewers were sensitized by Judicial Officers on the following topic:-

- Domestic Violence
- Law and Atrocities against Scheduled Castes and Scheduled Tribes.
- NALSA (Legal Services to Victims of Acid Attacks), Scheme, 2016.
- Provisions of the Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013.
- Anti Ragging

Front Offices

49 front offices have been established. One in High Court and rest in all the District Legal Services Authorities and Sub Divisional Legal Services Committees. The front offices are manned by the Retainer Lawyers and Para Legal Volunteers who are providing quality Legal Services to the litigants and general public. **1423** persons have benefited by way of Legal aid through the front offices during the period through digital modes.

Village Legal Care and Support Centres

H.P. State Legal Services Authority is implementing the Para Legal Volunteer Scheme introduced by the National Legal Services Authority, New Delhi. At present **80** Village Legal Care and Support Centres are functional in State of H.P. and are being manned by Retainer Lawyers and Para Legal Volunteers. Para Legal Volunteers also organized awareness camps about MNREG, Scheme. **6408** persons were provided legal aid/advice during this period through these centres through digital modes.

Video Conference facility for the Jail Inmates

The facility of Video conferencing between Jail inmates and Legal Services Panel Lawyers has been provided in the State of Himachal Pradesh. the Hon'ble Executive Chairman, the H.P. State Legal Services Authority has issued directions that jail inmates be made aware of the facility of video conferencing during legal awareness programmes for the Jail inmates and the Jail Authorities be sensitized to ensure that the benefit of this facility is availed by the Jail inmates. Legal Services Panel Lawyers are to be impressed upon for frequent use of this facility to interact with the jail inmates in legal aid cases. In order to

facilitate Video Conferencing of the Jail Inmates with Legal Services Panel Lawyers, contact number of Legal Services Panel Lawyers engaged by District Legal Services Authorities/Sub Divisional Legal Services Committees to prosecute or defend the cases of Jail inmates has been made available in the Jail Clinics or with the Jail Superintendent of the Jail for information of the Jail inmates. The Secretary, District Legal Services Authority being Principal Officer of District Authority will ensure overall coordination with the stakeholders to secure maximum use of the facility of Video Conferencing for the benefits of the Jail inmates.

Legal Aid Beneficiaries

The following persons were provided with Free Legal Aid during the quarter:

SC	ST	Women	Children	In-Custody	Persons with disability	Industrial workmen	General	Others	Total
117	22	833	24	121	15	10	263	200	1605

YouTube Channels of District Legal Services Authorities to spread awareness by digital means

In view of Covid-19 pandemic, all the District Legal Services Authorities in the State of Himachal Pradesh have started YouTube channels in order to have a wider outreach for spreading legal awareness by way of digital means amongst general public. The Videos are being constantly uploaded on these YouTube channels

Name of DLSA	YouTube channel link	Number of Videos uploaded
Chamba	https://www.youtube.com/channel/UCqjxSeK0JWPWXh4RcRC3yyg	5
Hamirpur	https://www.youtube.com/channel/UCP524tNheXN34CF_QE50zzQ	1
Kangra	https://www.youtube.com/channel/UCBeNoDEApEQ7itb2w_ElawQ	1
Sirmaur	https://www.youtube.com/channel/UC-egg0NO93wHt6SCtWQ503Q	46
Solan	https://www.youtube.com/channel/UCkc040RkEo73nehGyZ-gf8A	4
Shimla	https://www.youtube.com/channel/UCW6u-Ezy4N_Cf9swPULrmew	5
Una	https://www.youtube.com/channel/UCsJI2nymglz1TqjvTGKfvHQ	4

Progress made in NALSA Schemes:

Pursuant to the launching of ten Schemes by NALSA, this authority has identified the districts in the State where the Schemes are to be implemented. The constitution of team of PLVs and the Panel Lawyers has been done for implementation of each scheme. Due to

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COVID-19 Pandemic in the State, the camps were organized digitally keeping in view the various advisories issued by the State Government from time-to-time. The district wise progress made by the District Legal Services Authorities in the ten Schemes is as under:-

Sr. No.	Name of the Schemes	Awareness Programmes/ Activities	No. of persons benefited through
1	A scheme for Legal Services to Disaster Victims through Legal Services Authorities	-	-
2	NALSA (Victims of Trafficking and Commercial Sexual Exploitation) Scheme, 2015	2	439
3	NALSA (Legal Services to the Workers in the Unorganized Sector) Scheme, 2015	3	73
4	NALSA (Child Friendly Legal Services to Children and their Protection) Scheme, 2015	14	856
5	NALSA (Legal Services to the Mentally Ill and Disabled Persons) Scheme, 2015	8	422
6	NALSA (Effective Implementation of Poverty Alleviation) Scheme, 2015	-	-
7	NALSA (Protection and Enforcement of Tribal Rights) Scheme, 2015	2	133
8	NALSA (Legal Services to the Victims of Drug Abuse and Eradication of Drug Menace) Scheme, 2015	7	433
9	NALSA (Legal Services to Senior Citizens) Scheme, 2016	3	98
10	NALSA (Legal Services to Victims of Acid Attacks) Scheme, 2016	12	439
Total			2893

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Measures to secure better coordination between Legal Aid Beneficiaries and Panel Lawyers and periodical evaluation of Legal Services Institutions.

The National Legal Services Authority (Free and Competent Legal Services) Regulations, 2010 provides for free and competent legal services to the persons entitled thereto U/S 12 of the Legal Services Authorities Act, 1987. It also provides constitution of Monitoring and Mentoring Committee for close monitoring of the Court based legal services rendered and the progress of the cases in the legal aided matters and to guide and advice and Panel Lawyers.

Monitoring and Mentoring Committees have been constituted at DLSA/SDLSC level and monthly meetings are being held. All the District Legal Services and Sub-divisional Legal Services Committees need to take some additional measures to secure better coordination between legal aid beneficiaries and Panel Lawyers on one side and the legal services institutions need to evaluate periodically the quality of the legal services and the

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performance of Panel Lawyers on other side.

The **Hon'ble Executive Chairperson**, H.P. State Legal Services Authority has been pleased to convey the following guidelines and instructions for necessary action to be taken by the Concerned DLSAs:-

1. That Secretary, DLSAs may hold bi-monthly Virtual Consultation (batch-wise) with all beneficiaries of legal aid cases within their respective jurisdiction to assess the progress of their cases, and to secure better coordination and also to take all appropriate measures to redress their grievances, if any, in consultation with concerned Monitoring and Mentoring Committee(s) and Chairman, DLSA.
2. Consultation meetings of Legal Aid Beneficiaries in Court based matters may be arranged at different stages of justice delivery system in order to evoke the confidence of the beneficiaries and to ensure their satisfaction. Consultation meetings of legal aid beneficiaries with Panel Lawyers may be arranged by the legal services institutions, Secretaries DLSAs/SDLSCs or by Monitoring and Mentoring Committees at the time of their meetings. These meetings may preferably be at the following stages of litigation:-
 - a) At the time of assignment of the case to Panel lawyer.
 - b) At the time of drafting of pleadings/petitions/applications etc.
 - c) At the time of recording of evidence.
 - d) At the time of argument.
3. Secretaries, DLSAs/SDLSCs shall coordinate the monthly meetings of Monitoring and Mentoring Committees and shall ensure that each and every legal aid case and the performance of Panel Lawyers is monitored and appropriate guidance and advice is rendered to the Panel Lawyers by the concerned Monitoring and Mentoring Committee.
4. If the Panel lawyer engaged is not performing satisfactorily or has acted contrary to the object and spirit of the Act and these regulations, the Legal Services Institution shall take appropriate steps including withdrawal of the case from such lawyer and his removal from the panel.
5. The Legal Services Institution shall be at liberty for withdrawing any case from a Panel lawyer during any state of the proceedings.
6. Panel(s) of lawyers shall be reviewed and updated periodically by Chairmen DLSAs within their jurisdiction, keeping in view the performance of Panel Lawyers.

Special Awareness programme for Transgender Community

As per direction of **Hon'ble Executive Chairperson**, Special Awareness programme for Transgender Community in respective jurisdiction of each DLSA to reach out the transgender community to hear their problems and to take necessary steps to coordinate with the competent authorities to redress their problems. Also to ensure that they are given

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equal protection of their rights and privileges by the concerned authorities. Further to encourage transgender to join Legal Services Institutions as Para Legal Volunteers.

In pursuance of above direction all the DLSAs have organized special awareness programme for transgender community. They were informed about the initiative taken by the legal services institutions to assist them in getting the benefits of various welfare schemes. They were asked to share difficulties, if any, being faced by them in day to day life. But as per their version, they are satisfied and getting all the facilities in a proper manner. All have Ration Cards, Aadhar Cards, etc. They were told about The Transgender Persons (Protection of Rights) Act, 2019 and about entitlement of Free Legal Aid Services. They were asked for their association and participation in upcoming awareness programmes to which they have shown their willingness. **17** Awareness Camps were organized and more than **114** participants i.e. transgender communities were benefited.

Organization of Blood Donation-cum-Awareness Camps at Sub-Divisional Legal Services Committee level.

- *Himachal Pradesh State Legal Services Authority had launched a special campaign for organizing Blood Donation-cum-Awareness Camps in all the District Legal Services Authorities in the State of Himachal Pradesh with an objective to create a spirit of voluntary blood donation within public and to meet out the emergency need of blood mainly for the people who belongs to weaker sections of the society.*
- *During this state-wide campaign, all the District Legal Services Authorities organized the Blood Donation-cum-Awareness Camps at their respective district headquarters and **536** units of blood has been collected during the campaign. This shows a good response of people. During this campaign people at large, not only get educated about the benefits of blood donation, legal services/aid, but also developed a sense of voluntary blood donation within them.*
- In view of the success of this campaign at District level, **Hon'ble Executive Chairperson, H.P. State Legal Services Authority** desired that now this campaign should be extended upto Sub-Divisional Legal Services Committees level and one such **Blood Donation-Cum-Awareness Camps** should be organized by each Sub-Divisional Legal Services Committee during the quarter w.e.f. **1st April, 2022** to **30th June, 2022** to raise awareness and promote blood donation.

Legal Services Clinics in Law Colleges/Universities vis-a-vis Legal Services by law students

*Plan of Action vis-à-vis **Vision & Mission statement of NALSA** reads as under:-*

“Attempts shall be made to impress upon all Law Colleges in the country to adopt a designated area of a taluka close

to said colleges so that students of the 4th and 5th year LL.B. course can have easy opportunity to render voluntary assistance to the section or the society where legal aid must be extended.”

And

“Apart from the existing Para Legal Volunteers, who are engaged in various legal aid extension programmes, the benefit of the large contingent of law students will ensure that the framework of legal aid service attains maximum potential.”

Hon’ble Executive Chairman, National Legal Services Authority (NALSA) has also recently emphasized that law students can be asked to render compulsory legal aid services at rural areas.

Hon’ble Executive Chairperson has been pleased to issue the direction on the following lines:-

1. To **coordinate** with the **Head of the Department of Law Colleges/Universities** situated within the jurisdiction of respective DLSA and to impress upon them to adopt **designated area of a Sub Divisional (Taluka) Legal Services Committee** close to the said colleges, so that **students of 4th and 5th year LL.B. course** can have easy opportunity to render **voluntary assistance** to the sections of the society, where legal aid must be extended.
2. To **coordinate with Law Colleges/Universities** within of your respective jurisdiction to solicit **the names of law students of 4th and 5th year**, who are willing to render legal services on voluntary basis and a panel of such willing students be made and utilize their **services as Para Legal Volunteers** on imparting appropriate training by Secretary, DLSA.
3. The **law students so empanelled** be associated in **awareness programmes** as per **Plan of Action** in the **adjoining areas/Panchayats, where such Law Colleges/Universities are situated**, so that the students are familiarized to the problems faced by the masses and they get an idea to provide effective legal services to the poor and marginalized sections of the society.
4. The **law students so empanelled** may be encouraged to visit nearby **Village Legal Care and Support Centres, Villages, Legal Services Clinics in Jails, JJBs and Police Stations** for rendering legal services on voluntary basis.
5. The **law students so empanelled** may be impressed upon to visit **local villages/localities for interaction with inhabitants** and may be **encouraged to resolve the disputes amicably by pursuing the parties (both at pre-litigation and post litigation stage) for amicable settlement by referring their cases to**

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Mediation, Lok Adalat. For this purpose, law students may seek help from the nearest DLSA/SDLSC.

6. **Secretaries DLSAs** shall be the **Nodal Officers** in this regard for necessary coordination and providing help to the law students and on receiving the **list of students from the Law Colleges/Universities and the same be sent to this Authority within a fortnight for approval of Hon'ble Executive Chairperson** and thereafter, **to draw a roster and depute the law students accordingly for rendering legal services in the nearby villages/areas/legal aid clinics.**

Criminal Appeal No.135/2010 titled as Budhadev Karmaskar Vs State of West Bengal & ors.

In compliance of the directions of Hon'ble Supreme Court in case Criminal Appeal No.135/2010 titled as Budhadev Karmaskar Vs State of West Bengal & ors, the updated list sex worker registered with NGOs /Targetted Intervention Projects having updated number of Voter Card, Aadhar Card being implemented through H.P. State AIDS Control Society/District Legal Services Authority. District wise details is as under:

S. No.	District	Complete Name and address of TI/NGO	Total Number of identified Sex workers till date (as on 15 th March 2022)	Total Number of Voter cards availed till date (as on 15 TH March 2022)	Total Number of Aadhar cards availed till date (as on 15 th March 2022)	Total Number of Ration cards availed till date (as on 15 th March 2022)	Present Demand /requirement	Distribution of dry Ration against demand-status thereof As on 15 th March 2022
1.	Bilaspur	Layul Tribal Welfare Association c/o Chandel Niwas opp-PWD office –Beri, Tehsil-Sadar, Distt. Bilaspur (HP) 174001	488	488	488	488	488	0
2.	Chamba	OCEAN TIP Pandit Shiv Kumar Building Moh. Sultanpur Distt &Tehsil Chamba 176310	313	313	313	313	313	0
3.	Hamirpur	Society Hilly Welfare C/O Ekta Dhiman ward No. 8 House No. 421, Near Bus stand Hamirpur HP-177001	481	481	481	481	481	400
4.	Kangra	Society For Human Interest	436	436	436	436	436	429

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		in Rural Advancement C/o Sunil Mahajan Near Kangra Valley school Gaggal road shila chowk Dharamshala HP -176215						
		Him Institute of Rural Development c/o Sunil Kumar, Village Sukhnal, Near petrol pump. P.O. Jwalamukhi, Distt Kangra HP-176031	455	439	439	439	439	405
5.	Kullu	Manas Kalyan Bahu Udeshya Society residence of Anuvind Sood, House no. 207, MC. Manali Gurudwara Road Bhajori area Manali, Kullu, 175131	434	434	434	434	434	61
6.	Mandi	Society for Rural Development and Action Ward No. 6, Chadyara, PO Gutkar, Tehsil Sadar, Distt. Mandi H.P.	413	411	413	411	413	265
7.	Shimla	Association for Social Health in India, Sainj Ram Niwas, Chuha Baag, near Khaneri Rampur Bushahar Distt. SHIMLA (HP)- 172001	332	332	332	332	332	0
		SPARK - Saraswati vihar, Below Heights Restaurant, Kasumpti Shimla (HP) 171009	429	429	429	429	429	0
8.	Sirmaur	Community Action for Rural	439	436	439	436	439	0

		Excellence C/o Mr. Ashok Kumar, Ward No. 13, New Bank colony, near Sidhi Vinayak Hospital, Shamsherpur, Paonta Sahib, District Sirmour (HP)- 173025						
9.	Solan	Action Research & Training Institute c/o Rampyara Advocate Near BSNL exchange ward NO. -2 Nalagarh Distt. Solan HP - 174101	638	638	638	638	638	0
		Arushi Garamin Sansthan Near vertex institute, Rajgarh Road, Kotlanala Solan	323	323	323	323	323	90
10.	Una	Sunrise Society Education society, Plot No. 1412, Ward number -4 opposite Biroja Factory, Nangal road Una-174303	481	481	481	477	481	440
		Total			5646			

Visit of Hon'ble Executive Chairperson during National Lok Adalat held on 12.03.2022

The Hon'ble Smt. Justice Sabina, Judge, High Court of Himachal Pradesh and Executive Chairperson, H.P. State Legal Services Authority personally supervised the functioning of National Lok Adalat held on 12.03.2022 at Sub-Divisional Court Palampur and District Court at Dharamshala.

National Lok Adalat held on 12th March 2022 for (Pre-Litigation & Pending matters)

A National Lok Adalat for Pre-Litigation & Pending matters was organized on 12th December, 2022 under the guidance of **Hon'ble Executive Chairperson, Himachal Pradesh State Legal Services Authority** in all the Courts in the State of Himachal Pradesh.

In total **49,908** cases (**13,250** Pre-litigation and **36,658** pending matters) were taken up in the National Lok Adalat before different benches for settlement, out of which

17,335 cases (**3,816** pre-litigation and **13,719** pending matters) were settled/disposed off. A sum of **₹61,94,63,019/-** (Rupees Sixty One Crore Ninety Four Lakh Sixty Three Thousand Nineteen only) was recovered/awarded in National Lok Adalat to the claimants.

It is further submitted that **49,908** cases were identified, which is highest number since the year of **2014** and **17,535** cases were settled which is also highest figure after the year of **2015**.

Special Lok Adalat

17 Special Lok Adalats in Himachal Pradesh have been conducted in which **376** cases pertaining to the Motor Vehicles Act were identified and similar number of cases were settled. An amount of **499300/-** was collected as compounding fee.

Legal Literacy Camps

During the period, **403** Legal Literacy Camps were organized by District Legal Services Authorities/Sub Divisional Legal Services Committees through digital means on different topics including ADR mechanism at the Gram Panchayat level. To identify legal Aid Beneficiary in coordination with Panchayati Raj Institutions, Local bodies, etc. NALSA's Compensation Scheme for Women Victims/Survivors of Sexual Assault/other Crimes – 2018/ They Himachal Pradesh (Victim of Crime) Compensation Scheme, 2019 or any other laws, different Welfare and Social security Schemes of the State and Central Government and various other topics as per schedule approved by this Authority. In **total 18937 persons** were benefited by attending the said camps.

Blood Donation-cum-Awareness Camps

As per direction of **Hon'ble Executive Chairperson**, a Special Awareness Campaign and organization of **Blood Donation-cum-Awareness Camps** has been organised by all District Legal Services Authorities and Sub-Divisional Legal Services Committee Rohru, Tissa, Dalhousie and Anni.

In said camp, **986** persons showed their willingness to donate blood but only **536** persons were found fit for blood donation as per medical parameters. The certificate of appreciation were also given to the Donor by the concerned DLSAs and **536** unit of blood collected during the camp.

Vidhik Saksharata Shivir (Legal Awareness Camp)

In order to aware general masses about their Legal Rights **87** physical Special Vidhik Saksharata Shivir (Legal Awareness Camp) were organized by the Secretaries, DLSA/Chairman SDLSCs, legal aid functionaries and Officials of the Government Department at public places within the vicinity of Municipal Corporation/Counsel/Nagar

Panchayat for Mahila Mandals/Yuvak Mandals, Asha/Anganwadi workers and **5049** persons were apprised about the following topics: -

- National Lok Adalat Pre-Litigation Mediation.
- NALSA Legal Services Mobile App and salient features of application.
- Public Utility Services under section 22B of the Legal Services Authorities Act, 1987 and to mobilize general public utility services cases for settlement before the respective District Consumer Fora/Parmanent Lok Adalat.
- Garbage norms and Solid waste management as per direction of NGT
- Legal Aid Schemes of NALSA/State.

Mega Legal Literacy Camp

Mega Legal Literacy Camp was organized all over the State in coordination with concerned department. On this day, the Chairmen/Secretaries, District Legal Services Authorities and Chairmen, Sub-Divisional Legal Services Committees organized various camps and sensitized masses on the following topics:

- Entitlement of Free Legal Aid etc. under the Legal Services Authorities Act 1987 and Rules and Regulations framed by the Himachal Pradesh State Legal Services Authority.
- ADR Mechanism.
- Issues relating to dropout children.
- NALSA's Compensation Scheme for Women Victims/Survivors of Sexual Assault/other Crimes – 2018.
- Himachal Pradesh (Victim of Crime) Compensation Scheme. 2019.
- Welfare schemes of NALSA/State Government.

90 Mega Legal Awareness Camps were organized and **7283** participants were benefited.

Vidhik Saksharata Shivir (Legal Awareness Camp) for Members of Panchayati Raj Institutions

8 Vidhik Saksharata Shivir (Legal Awareness Camp) for members of Panchayati Raj Institutions were organized by the Secretaries, DLSA/Chairman SDLSCs, in co-ordination with Block Development Officer at block level in relation to their Judicial Functions, legal aid schemes of NALSA/HPSLSA. **491** members of Members of Panchayati Raj Institutions were sensitized.

Legal Awareness Programme for providing legal assistance at Pre-Arrest, Arrest and Remand Stage.

Legal Awareness Programme organized by Secretaries, DLSAs and Chairmen, SDLSCs involving Police officers, stakeholders, beneficiaries and Remand Counsel(s)

deputed for providing legal assistance at Pre-Arrest, Arrest and Remand stage on the following topics

- Maximizing the Early Access to suspects at Pre-Arrest Stage
- Early Access to Justice at Pre-Arrest, Arrest and Remand stage
- Rights of the arrested persons
- Jurisprudence of Section 41 to 41 (D) of Code Of Criminal Procedure
- Duties and functions of Legal Aid Counsel under H.P. Legal Aid Counsel Scheme, 2003.

38 awareness camps were organized and **553** participants i.e. SHOs, IOs, Remand Counsels and other Stakeholders were sensitized.

Awareness Camps in Jails

In order to sensitize prisoners about their Legal rights, **37** digital Legal Awareness Camps were organized in the Jails by the Secretaries, DLSAs and other Legal Aid Functionaries. **3455** prisoners were apprised on the following topics:

- Right of Prisoners and corresponding duties of the Jail custodians in ensuring the protection of their right.
- Plea Bargaining
- Standard Operating Procedure (SOP) issued by NALSA
- Parole
- Furlough,
- Pre-mature release etc.

Legal Services Clinics in Jails

Legal Services Clinics in jails have been established in all District Jails/Sub jails in the State of H.P. These Clinics are manned by the PLVs (Long Term Prisoners) and Retainer Lawyers. **196** persons were provided assistance through Legal Aid Clinics in Jail through digital means.

Activities of Mediation

During the month, **348** cases were referred by the different courts for Mediation throughout State, out of which **65** cases were settled.

Broadcasting of “Kanoon Ki Baat” on All India Radio

During the month, **11** Radio talks on “Kanoon Ki Baat” were aired on every Monday from 9:30 AM to 9:45 AM. The viewers were sensitized by Judicial Officers on the following topic:-

- Domestic Violence

- Law and Atrocities against Scheduled Castes and Scheduled Tribes.
- NALSA (Legal Services to Victims of Acid Attacks), Scheme, 2016.
- Provisions of the Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013.
- Anti Ragging

Front Offices

49 front offices have been established. One in High Court and rest in all the District Legal Services Authorities and Sub Divisional Legal Services Committees. The front offices are manned by the Retainer Lawyers and Para Legal Volunteers who are providing quality Legal Services to the litigants and general public. **1404** persons have benefited by way of Legal aid/assistance/advice through the front offices during the period

Village Legal Care and Support Centres

H.P. State Legal Services Authority is implementing the Para Legal Volunteer Scheme introduced by the National Legal Services Authority, New Delhi. At present **80** Village Legal Care and Support Centres are functional in State of H.P. and are being manned by Retainer Lawyers and Para Legal Volunteers. Para Legal Volunteers also organized awareness camps about MNREG, Scheme. **6106** persons were provided legal aid/advice during this period through these centres.

Training Programme

Training Programme for Legal Services Panel Lawyers and PLVs

Training Programme has been organised for Empanelled Legal Services Lawyers and Para Legal Volunteers as per Training Modules of NALSA for Legal Services Panel Lawyers and Para Legal Volunteers and Schemes of NALSA/State. The details as under:

Training Programme Conducted for Panel Lawyers/PLVs	Total No. of Training Programme Conducted	Total No. of Participants
Panel Lawyers	14	254
Para Legal Volunteers	19	148

Important Days Observed

International Day of National Girl Child Day

The International Day of National Girl Child Day was observed on 24th January, 2022 all over the State. On this day, the Judicial Officers organized Awareness Programmes to educate the general masses about NALSA (Child Friendly Legal Services to Children and their Protection) Scheme, 2015, The Guardians and Wards Act, 1890, The Child Labour (Prohibition and Regulation) Act, 1986, The PNDT Act, The Juvenile Justice Act, COVID-19

Protocol and Free Legal Aid and Advice and also various Central/State Government Schemes. **10** awareness programmes were organized and **234** participants were benefitted.

World Day of Social Justice

World Day of Social Justice was organized all over the State on 20th February, 2022. On this day, the Judicial Officers organized various camps and sensitized masses to contribute to the efforts of the International community in poverty eradication, promotion of full employment and also aware their legal rights and protection and assistance to the trafficking victims. In total 16 awareness programmes were organized and 354 persons sensitized about the importance of day.

International Women's Day on 8th March, 2022

The International Women's Day was celebrated on 8th March 2022 all over the State. On this day, the Judicial Officers organized various camps and sensitized masses especially women on their rights including Sexual Harassment at Workplace, Victim Compensation Scheme, Labour Laws, Domestic Violence Act, P.C. and P.N.D.T. Act, etc.

21 awareness camps were organized and **2772** participants were benefitted.

Observation of "Consumer Day" on 15th March, 2022.

The Consumer Day was observed on 15th March, 2022 all over the State. On this day, the Judicial Officers organized Awareness Programmes and Camps to educate the general masses about the provisions of Consumer Act, provisions of free legal aid and other welfare schemes of the Government throughout the State. **7** awareness camps were organized and **531** participants were benefitted.

Video conferencing facility for the Jail Inmates

The facility of Video conferencing between Jail inmates and Legal Services Panel Lawyers has been provided in the State of Himachal Pradesh. the Hon'ble Executive Chairman, the H.P. State Legal Services Authority has issued directions that jail inmates be made aware of the facility of video conferencing during legal awareness programmes for the Jail inmates and the Jail Authorities be sensitized to ensure that the benefit of this facility is availed by the Jail inmates. Legal Services Panel Lawyers are to be impressed upon for frequent use of this facility to interact with the jail inmates in legal aid cases. In order to facilitate Video Conferencing of the Jail Inmates with Legal Services Panel Lawyers, contact number of Legal Services Panel Lawyers engaged by District Legal Services Authorities/Sub Divisional Legal Services Committees to prosecute or defend the cases of Jail inmates has been made available in the Jail Clinics or with the Jail Superintendent of the Jail for information of the Jail inmates. The Secretary, District Legal Services Authority being Principal Officer of District Authority will ensure overall coordination with the stakeholders to

secure maximum use of the facility of Video Conferencing for the benefits of the Jail inmates.

Legal Aid Beneficiaries

The following persons were provided with Free Legal Aid during the quarter:

Month	S C	S T	Wome n	Childre n	In- Custod y	Person s with disabilit y	Trans - gend er	Industri al Workme n	Gener al	Other s	Tot al
Januar y	27	2	152	2	21	2	-	2	45	19	272
Februar y	25	6	182	-	25	8	1	-	64	26	337
March	32	11	284	1	31	8	-	1	68	16	452

Progress made in NALSA Schemes:

Pursuant to the launching of ten Schemes by NALSA, this authority has identified the districts in the State where the Schemes are to be implemented. The constitution of team of PLVs and the Panel Lawyers has been done for implementation of each scheme. The district wise progress made by the District Legal Services Authorities in the ten Schemes is as under:-

Sr. No.	Name of the Schemes	Awareness Programmes/ Activities	No. of persons benefited through
1	A scheme for Legal Services to Disaster Victims through Legal Services Authorities	-	-
2	NALSA (Victims of Trafficking and Commercial Sexual Exploitation) Scheme, 2015	11	531
3	NALSA (Legal Services to the Workers in the Unorganized Sector) Scheme, 2015	3	164
4	NALSA (Child Friendly Legal Services to Children and their Protection) Scheme, 2015	4	195
5	NALSA (Legal Services to the Mentally Ill and Disabled Persons) Scheme, 2015	1	40
6	NALSA (Effective Implementation of Poverty Alleviation) Scheme, 2015	6	288
7	NALSA (Protection and Enforcement of Tribal Rights) Scheme, 2015	-	-
8	NALSA (Legal Services to the Victims of Drug Abuse and Eradication of Drug Menace) Scheme, 2015	3	174
9	NALSA (Legal Services to Senior Citizens) Scheme, 2016	6	276
10	NALSA (Legal Services to Victims of Acid Attacks) Scheme, 2016	3	163
Total		37	1831

CHAPTER-11

WORKING OF ALTERNATIVE DISPUTE RESOLUTION MECHANISMS — ADR CENTRES, PERMANENT LOK ADALATS / LOK ADALATS. NUMBER OF CASES DISPOSED OF. NUMBER OF LOK ADALATS HELD ETC.

In order to promote ADR mechanism, High Court of Himachal Pradesh Civil Procedure Alternative Dispute Resolution and Mediation Rules, 2005 have been framed by the High Court for resolution of disputes through mediation. **Twelve** mediation centres, one in High Court of H.P. and eleven v.i.z. one each at the Headquarter of each Civil & Sessions Divisions are functional.

With the assistance of Mediation and Conciliation Project Committee, Supreme Court of India, 42 hours intensive mediation training programmes were organized in the State of Himachal Pradesh for referral Judges and advocate mediators.

The Main Mediation Centre, High Court of Himachal Pradesh has also published a book “**Handbook on Mediation**” in the year, 2013 containing comprehensive information about the mediation movement in our State. The H.P. State Legal Services Authority has provided adequate infrastructure in the mediation centres. The detail of total number of cases referred and settled is as under:-

Number of cases referred to and settled in the Mediation Centres up to 31.03.2021

1.	Number of cases referred to Mediation Centres up to 31.03.2021	18,358
2.	Number of cases settled in the Mediation Centres up to 31.03.2021	3,902

Number of cases referred to and settled in the Mediation Centres during the quarter

01.04.2021 to 31.03.2022

1.	Number of cases referred to Mediation Centres 01.04.2021 to 31.03.2020	1114
2.	Number of cases settled in the Mediation Centres 01.0.2021 to 31.03.2021	179

ALTERNATIVE DISPUTE RESOLUTION (ADR) CENTRES

Seven (7) Alternative Dispute Resolution (ADR) Centres at Shimla, Kangra at Dharamshala, Una, Sirmaur at Nahan, Bilaspur, Kinnaur at Reckong Peo and Hamirpur, are functional in the State of Himachal Pradesh. The construction of four (4) ADR Centres at Chamba, Kullu, Mandi and Solan, is under active consideration.

PART- VII
FINANCIAL STATEMENT

CHAPTER-12

FINANCIAL STATEMENT OF BUDGET AND EXPENDITURE

The budget estimates in respect of the entire State Judiciary for every Financial Year under **Non-plan Schemes** only are prepared by the Accounts Branch of the Registry of the High Court of Himachal Pradesh on the basis of inputs received from different quarters and sent to the State Government duly approved by Hon'ble the Chief Justice on the recommendations of Hon'ble Finance Committee.

However, the details with regard to the funds provided by the State Government and the expenditure incurred by the State Judiciary under different schemes (**Non-Plan only**) updated quarterly of the financial year 2021-22, upto 31.03.2022, are as under:-

Sr. No.	Name of the Scheme(s)	Funds provided by the State Govt. including additionality for the F.Y. 2021-22 upto 31.03.2021	Expenditure for the Financial Year 2021-2022 (01.04.2021 to 31.03.2022).
1	2	3	4
1.	Major Head 2014-Admn. of Justice, 102-High Court, 01-High Court Establishment (Charged) Non-Plan-SOON, Demand No. 3.	Rs. 52,00,82,61 1.00	Rs. 47,78,84,238.00
2.	Major Head 2014-Admn. of Justice, 105-Civil & Sessions Courts, 01-Civil & Sessions Courts Establishment (Voted) Non-Plan-SOON, Demand No. 3	Rs.126.68,84,722.00	Rs.122,80,76,403.00
3.	Major Head 2014-Admn. of Justice, 108 Criminal Courts, 01-Road & Diet Money to witnesses (Voted) Non-Plan-SOON, Demand No. 3	Rs. 70,00,000.00	Rs. 69,99,984.00
4.	Major Head 2014-Admn. of Justice, 796-Tribal Area Sub-Plan, 01-Expenditure on Civil & Sessions Courts Establishment (Voted) Non-Plan-SOON, Demand No. 31.	Rs. 2,48,03,000.00	Rs. 2,24,47,176.00
5.	Major Head 2014-Admn. of Justice, 796-02 Expenditure on witness and Diet Money (Voted) Non-Plan-SOON, Demand No. 31.	Rs. 90,000.00	Rs. 85,000.00
6.	Major Head 2235, Social Security & Welfare, 800 Other Charges, 38 Medical Reimbursements of Pensioners and other Charges, High Court and District Judiciary (Voted) Non-Plan-SOON, Demand No.19.	Rs.1,83,63,000.00	Rs. 1,83,62,940.00
7.	2014-00-102-05-SOON-Voted Demand No.3 under e-Courts Mission Mode Project (Phase-II)	Rs.40,31,061.00	Rs. 23,30,144.00
8.	2014-00-105-SOON-Voted Demand No. 3 under Scanning and Digitization of Judicial Record	Nil	Nil
9.	2014-00-105-07-C90N-PLAN-Voted Demand No. 3, Fast Track Special Courts under POCSO Act/Scheme	Rs. 73,93,000.00	67,92,250.00
10.	2014-00-105-07-S10N-Plan- Voted Demand No. 3, Fast Track Special Courts under POCSO Act/Scheme	Rs. 16,08,312.00	Rs. 16,07,212.00

Annual Report 2021-22 (updated upto 31.03.2022)

Note: The Accounts/figures for the month of March, 2022, are yet to be finalized by the office of the Accountant General, (A&E), Shimla. Therefore, only the tentative figure/accounts, for the previous financial year, with regard to the expenditure under different HOAs as per the status of Treasuries, Accounts & Lotteries Department, H.P. upto 31st March, 2022, have been made available.

PART- VIII
JUDICIAL STATISTICS OF HIGH COURT AND TRIAL COURTS

CHAPTER-13

BROAD PERFORMANCE INDICATORS BASED ON ANALYSIS OF JUDICIAL STATISTICS IN RESPECT OF HIGH COURT.

HIGH COURT OF HIMACHAL PRADESH

(As on 31/03/2022)

Note: Statement includes both Main and Miscellaneous Cases.

(i) Category-wise Institution, Disposal and Pendency of Cases in High Court

Category of Cases	Opening Balance as on 01.01.2022	Institution of cases during the financial year 2022-2023	Disposal of cases during the financial year, 2022-2023	Pendency as on 31.03.2022
Civil	72181	6949	4442	74688
Criminal	10173	1875	1449	10599
Total	82354	8824	5891	85287

(xiii) Age-wise pendency of different category of cases in High Court.

Category Of Cases	0 to 2 years old cases	2 to 5 years old cases	5 to 10 years old cases	More than 10 years old Cases	Total Pendency of cases as on 31.03.2022
Civil	35277	26977	9805	2629	74688
Criminal	4302	3390	2499	408	10599
Total	39579	30367	12304	3037	85287

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

Sl. No.	Nature of the cases	Average Number of adjournments granted
1	Civil	9-14
2	Criminal	7-10

(iv) Number of cases in which trial proceedings has been stayed by the Superior Courts in Various categories of Civil and Criminal cases and average time for which such trial proceedings remain stayed in the life cycle of a case.

Sl. No.	Nature of Cases	Proceedings have been stayed by the Superior Courts
1	Civil	6 (for about 5 years)
2	Criminal	1 (for about 8 years)
	Total	7 cases

(v) **Average time taken for disposal of various categories of Civil and Criminal Cases in High Court.**

Sl. No.	Nature of the case	Average time taken
1	Civil	(3 to 8 years)
2	Criminal	(3 to 5 years)

1. **Category wise disposal of cases per judge per year in the High Court.**

Category Of Cases	Number of Main Cases disposed of both Civil and Criminal w.e.f. 01.01.2022 to 31.03.2022	Number of Judges doing Court Work w.e.f. 01.01.2022 to 31.03.2022	Average Rate of Disposal per Judge per Year (Main Cases only) w.e.f.01.01.2022 to 31.03.2022
Civil	4442	9	493.55
Criminal	1449	9	161
Total	5891	9	654.55

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

Category of Cases	Opening Balance as on 01.01.2022	Institution of cases during the financial year 2022-2023	Disposal of cases during the financial year, 2022-2023	Pendency as on 31.03.2022
Civil	38350	4531	2780	40101
Criminal	9438	1664	1276	9826
Total	47788	6195	4056	49927

Note: Shows both main and misc.

(viii) **Number of writ petitions/PILs be filed and being disposed of in the High Court of Himachal Pradesh, Shimla.**

Category of Cases	Opening Balance as on 01.01.2022	Institution of cases during the financial year 2022-2023	Disposal of cases during the financial year, 2022-2023	Pendency as on 31.03.2022
Civil	27978/105*	1901/17	1223/9	28656/113
Criminal	2/0**	-	-	2/0**

* CWP+CWPOA+CWPTA/CWPIL = 14697+13959+0/113

** CRWP/CRWPL = (2 / 0)

CHAPER-14

BROAD PERFORMANCE INDICATORS BASED ON ANALYSIS OF JUDICIAL STATISTICS WHICH MAY INCLUDE THE FOLLOWING.

(Updated as on 31.03.2022.)

TRIAL COURTS

Category wise institution, disposal and pendency of cases in respect of all Civil and Sessions Divisions w.e.f 01.01.2022 upto 31.03.2022.

Division	Opening Balance as on 01.01.2022			Institution		
	Civil	CrI.	Total	Civil	CrI.	Total
Shimla	16563	67047	83610	2420	26772	29192
Kinnaur	4422	14558	18980	723	2772	3495
Bilaspur	10759	12751	23510	1641	4717	1590
Hamirpur	16531	20677	37208	1901	6900	8801
Una	17181	18619	35800	2506	7841	10347
Mandi	17766	26209	43975	2667	9417	12084
Kullu	8901	56362	65263	873	13573	14446
Kangra	33128	27194	60322	4901	7515	12416
Chamba	5453	9264	14717	1444	6984	8428
Solan	17390	39387	56777	2473	10677	13150
Sirmaur	9609	15121	24730	1202	7131	8333
Total	157703	307189	464892	22751	104299	122282

Division	Disposal			Pendency as on 31.03.2022		
	Civil	CrI.	Total	Civil	CrI.	Total
Shimla	2205	23641	25846	16778	70178	86956
Kinnaur	674	3283	3957	4471	14047	18518
Bilaspur	1590	4325	5915	10810	13143	23953
Hamirpur	1714	5831	7545	16718	21746	38464
Una	2487	6193	8680	17200	20267	37467
Mandi	2580	10947	13527	17853	24679	42532
Kullu	859	14438	15297	8915	55497	64412
Kangra	3687	6801	10488	34342	27908	62250
Chamba	1282	6179	7461	5615	10069	15684
Solan	2125	9517	11642	17738	40547	58285
Sirmaur	1236	4861	6097	9575	17391	26966
Total	20439	96016	116455	160015	315472	475487

(ii) Age wise pendency of different category of cases as on 31.03.2022

Civil Cases Pendency as on 31.03.2022				Criminal Cases Pendency as on 31.03.2022			
Upto one year	More than one and less than two years	More than two years	More than five years	Upto one year	More than one and less than two years	More than two years	More than five years
35919	34926	59399	29771	124203	82989	75834	31297

(iii) No. of adjournments being granted on an average in various category of Civil and Criminal cases during the life cycle of a case.

Division	Average Adjournments	
	Civil Cases	Criminal Cases
Shimla	7-14	7-17
Kinnaur	8-10	10-12
Bilaspur	18-22	14-18
Hamirpur	5-6	4-5
Una	10-20	7-15
Mandi	10-15	10-15
Kullu	8-10	8-10
Kangra	10-15	8-12
Chamba	1-7	1-8
Solan	12-15	15-20
Sirmaur	10-35	5-25

- (iv) No. 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 such trial proceedings remained stayed in the life cycle of the case.

Division	Civil(stayed)	Criminal(stayed)
Shimla	137	30
Kinnaur	5	2
Bilaspur	17	05
Hamirpur	41	16
Una	47	2
Mandi	28	6
Kullu	4	0
Kangra	53	16
Chamba	9	4
Solan	80	29
Sirmaur	67	44
Total	488	154

- (v) Average time taken for disposal of various categories of Civil and Criminal cases.

Division	Average time taken	
	Civil Cases	Criminal Cases
Shimla	2-7 years	2-7 years
Kinnaur	1-6 years	1-5 years
Bilaspur	1-5 years	1-4 years
Hamirpur	1-4 years	1-4 years
Una	1-7 years	1-10 years
Mandi	1-5 years	1-4 years
Kullu	2-5 years	2-5 years
Kangra	1-5 years	1-4 years
Chamba	1-5 years	1-5 years
Solan	1-6 years	1-5 years
Sirmaur	1-6 years	1-4 years

- (vi) Category wise disposal of cases per Judge during the quarter in the District Judiciary w.e.f. 01.01.2022 to 31.03.2022.

1. SHIMLA

Nature	DJ	DJ(Forest)	DJ (Family Court)	PC & SC/ST Court	ADJ/POCSO	ADJ-I	ADJ-II	CBI	CJM	ACJM(I)	ACJM 2	JMFC-3	JMFC-4
Civil	193	80	202	0	2	100	230	255	65	98	73	91	60
CrI.	306	151	37	28	102	153	234	320	305	573	833	2073	2785
Total	499	231	239	28	104	253	464	575	370	671	906	2164	2845

JMFC-5	JMFC-6	JMFC-7	JMFC-8	ACJM,Theog	ACJM, Rohru-1	JMFC, Rohru-2	JMFC, Jubbal	JMFC, Chopal	Mob. Tra. Mag.	DLSA
50	80	72	91	130	164	44	33	92	0	0
1292	471	1857	516	1057	1457	591	481	420	7599	0
1342	551	1929	607	1187	1621	635	514	512	7599	0

2. KINNAUR

Nature	DJ	ADJ	ADJ/POCSO	CJM (R.Peo)	ACJM(Rampur)	JMFC(Anni)	MTM
Civil	119	122	85	134	91	123	0
CrI.	101	102	65	977	446	1034	558
Total	220	224	150	1111	537	1157	558

3. BILASPUR

Nature	DJ	ADJ	CJM	JMFC(B/Pur)	ACJM(GMR)	JMFC2(GMR)	JMFC3(GMR)	JMFC(Jhandutta)	MTM
Civil	159	101	163	255	73	58	331	430	0
CrI.	265	151	755	316	392	25	317	469	0
Total	424	252	918	517	465	83	648	899	0

4. HAMIRPUR

Nature	DJ	ADJ	ADJ camp at Barsar	CJM	ACJM-1(H/pur)	JMFC-2 (H/pur)	JMFC-3 (H/pur)	JMFC-4 (H/pur)	JMFC (Barsar)	ACJM (Nadaun)	MTM
Civil	205	106	57	201	162	138	136	233	225	251	.0
CrI.	101	65	26	883	550	1361	1017	965	251	612	0
Total	306	171	83	1084	712	1499	1153	1198	476	863	0

5. UNA

Nature	DJ	ADJ-1	ADJ-I camp at Amb	ADJ-2	CJM	ACJM-1	JMFC-2
Civil	228	111	105	118	230	335	302
CrI.	85	64	68	93	997	522	658
Total	313	175	173	211	1227	857	960

JMFC-3	JMFC-4	ACJM-1 Amb	JMFC-2 Amb	JMFC-3 Amb	Mob. Tra. Mag.	DLSA
312	89	303	217	137	0	0
634	1040	499	481	137	915	0
946	1129	802	698	274	915	0

6. MANDI

Nature	DJ	DJ/Family Court	ADJ-1	ADJ/Sundernagar	ADJ-II	ADJ-POCSO	ADJ-Sarkaghat	CJM	ACJM -1	JMFC -2	JMFC-3	JMFC-4
Civil	289	536	183	11	57	0	81	70	107	112	125	0
CrI.	216	367	136	10	179	63	105	794	698	1266	723	0
Total	505	903	319	21	236	63	186	864	805	1378	848	0

ACJM-1 (SNR)	JMFC-2 (SNR)	ACJM -1 (SKT)	JMFC-2 (SKT)	JMFC, (J/Ngr)	JMFC, Karsog	JMFC, Gohar	MTM	JMFC, Thunag
125	81	204	157	131	84	185	0	42
473	238	885	498	511	420	475	2650	240
598	319	1089	655	642	504	660	2650	282

7. KULLU

Nature	DJ	ADJ	CJM	CJM (L&S)	CJM (L&S at Keylong)	JMFC Manali	JMFC Kullu	JMFC Banjar	Mob. Tra. Mag.	JJB-KULLU, L&S, KEYLONG
Civil	106	141	223	59	2	117	153	58	0	0
CrI.	170	256	2640	2191	34	3580	3687	879	1000	1
Total	276	397	2863	2250	36	3697	3840	937	1000	1

8. KANGRA

Nature	DJ	Wakf	DJ/Family Court	ADJ-1	ADJ-2	ADJ-3	ADJ/POCSO	CJM	JMFC-1 D/Shala	JMFC-2 D/Shala
Civil	202	1	746	128	58	584	0	95	40	79
CrI.	309	3	354	203	51	295	95	980	322	74
Total	511	4	1100	331	109	879	95	1075	362	153

ACJM, Kangra	JMFC(2), Kangra	ACJM, P/Pur	JMFC(2), P/Pur	ACJM(I), Nurpur	JMFC(2), Nurpur
176	203	328	159	144	0
1140	613	198	333	390	0
1316	816	526	492	534	0

ACJM Dehra (1)	JMFC Dehra (2)	JMFC Jawali	JMFC Baijnath	JMFC Indora	M.T. Magistrate	DLSA	JMFC Jaisinghpur
202	138	157	76	84	0	0	87
283	344	110	247	176	0	0	281
485	482	267	323	260	0	0	368

9. CHAMBA

Nature	DJ	ADJ	CJM	JMFC, Chamba	JMFC, Dalhousie	JMFC, Tissa	MTM	JJB
Civil	191	76	199	383	254	179	0	0
Criminal	332	144	3062	1487	409	743	2	0
	523	220	3261	1870	663	922	2	0

10. SOLAN

Nature	DJ	ADJ-1/POCSO	ADJ-2	ADJ/Nalagarh	CJM	JMFC (1) Solan	JMFC(2) Solan
Civil	197	0	146	166	142	193	53
CrI.	196	95	144	184	775	777	558
Total	393	95	290	350	917	970	611

ACJM -1, Kasauli	JMFC -2, Kasauli	ACJM-1, Nalagarh	JMFC -2, Nalagarh	JMFC, Arki	JMFC, Kandaghat	DLSA	M.T. Magistrate	JJB
244	205	217	210	215	137	0	0	0
370	154	971	1960	321	224	0	2718	70
614	359	1188	2170	536	361	0	2718	70

11. SIRMAUR

Nature	DJ	ADJ	ADJ/POCSO	CJM	JMFC, Nahar	ACJM-1, Paonta	JMFC-2, Paonta	JMFC, Rajgarh and camp at Sarahn	JMFC Shillai	M.T. Magistrate
Civil	187	348	45	92	88	160	121	129	66	0
CrI.	153	181	61	1043	485	769	349	485	578	757
Total	340	529	106	1135	573	929	470	614	644	757
