

**DEPARTMENT OF JUSTICE**

**STATUS OF LAW COMMISSION REPORTS**

Report No.	Title of the Report	Date of forwarding Letter of D/o Legal Affairs (if available)	Status of Report Accepted /Not accepted/Pending (if accepted/not accepted give details)
4	On the proposal that High Courts should sit in Benches at different places in a State	Not available	Accepted. Separate High Courts for the States of Uttarakhand, Chhattisgarh, Jharkhand, Manipur, Meghalaya and Tripura have been established.
14	Reforms of Judicial Administration	Not available	Accepted. Government has set up a National Mission for Justice Delivery and Legal Reforms with the twin objectives of increasing access by reducing delays and arrears in the system and enhancing accountability through structural changes and setting performance standards and capacities.
45	Civil Appeals to the Supreme Court on a Certificate of Fitness.		It concerns Department of Legal Affairs.
58	Structure and Jurisdiction of the Higher Judiciary.	Not available	Accepted. Accommodation/HRA, pension, medical facilities, conveyance facility enhanced. A Bill to increase retirement age of HC Judge from 62 to 65 introduced, but has lapsed with the dissolution of the 15 <sup>th</sup> Lok Sabha.
72	Restriction on practice after being a permanent Judge, Article 220 of the Constitution.	Not available	Accepted.
75	Disciplinary Jurisdiction under the		It concerns Department of Legal Affairs.

	Advocates Act 1961.		
77	Delay and arrears in trial courts.	Not available	Accepted. Legislative/administrative (High Court Rules) changes made in relation to service of process (Order V Rule 1 & 9 C.P.C), Provision for Evidence by way of Affidavit (Order XVIII Rule 4 C.P.C), provision of Written Arguments (Order XVIII Rule 2 C.P.C), have been included in C.P.C, 1908. Legislative Department is the Nodal Authority.
79	Delay and arrears in High Courts and other Appellate Courts.	Not available	Accepted. Judge strength of High Courts is reviewed from time to time. The other recommendations relating to enhancement of pecuniary jurisdiction of District Courts, streamlining the procedure of hearing of appeals etc. are within the domain of State Government/High Courts.
80	Method of appointment of Judges.	Not available	Accepted. Many of the recommendations included in the Memorandum of Procedure. The matter is under further review.
92	Damages in applications for Judicial Review Recommendations for legislation.	22.09.1984	The subject matter of the Report concerns the Legislative Department and the Department of Legal Affairs.
95	Constitutional Division within the Supreme Court – A proposal for.	Not available	Not accepted. The Full Court of the Supreme Court did not agree with the recommendation.
96	Repeal of certain obsolete Central Acts.	Not available	Accepted. The Federal Courts Act, concerning Department of Justice, had been repealed.
99	Oral and written arguments in the Higher Courts.	Not available	Accepted. C.P.C amended. However, It concerns Legislative Department.
100	Legislation by and against the		It concerns Department of Legal Affairs.

	Government: some recommendations for reform.		
104	The Judicial Officers Protection Act, 1850.	Not available	Accepted. The Judges Protection Act, 1985 was enacted.
114	Gram Nyayalaya.	Not available	Accepted. Gram Nyayalaya Act has been passed. Till date, 180 Gram Nyayalayas have been notified out of which 152 are functioning.
115	Tax Courts.		It concerns Department of Legal Affairs.
116	Formation of an All India Judicial Service.	Not available	Accepted. A comprehensive proposal was formulated for constitution of All India Judicial Service (AIJS) and the same was approved by Committee of Secretaries in November, 2012. The proposal was deliberated upon in the Conference of Chief Ministers and Chief Justice held in April, 2013 and it was decided that issue needs further deliberations and consideration. Accordingly, the views of the State Governments and High Courts have been sought on the proposal.
117	Training of Judicial Officers.	Not available	Accepted. National Judicial Academy has been established.
118	Method of appointment to subordinate courts/subordinate judiciary.	Not available	Not accepted. Recruitment of subordinate judiciary is the concern of State Government/High Court.
119	Access to Exclusive Forum for Victims of Motor Accidents under Motor Vehicles Act, 1939.		It does not pertain to Department of Justice.
120	Manpower Planning in Judiciary: A Blueprint.		It was resolved in the second meeting of Advisory Council of National Mission to double the

			no. of judges in subordinate courts. However, the subject matter of increasing the judge strength in District and Subordinate Courts falls within the domain of High Courts/State Governments. The matter is sub-judice before the Supreme Court in Imtiaz Ahmad case.
121	A New Forum for Judicial Appointments.		The matter relates to change in existing system for appointment of Judges in High Judiciary, which is under consideration. The Government is seeking views of eminent jurists and various political party on the proposal for setting up of a Judicial Appointment Commission.
124	The High Court Arrears – A Fresh Look.		The matter relates to filling up of vacancy in the High Courts and Supreme Court. Pursuant to the Supreme Court Judgement of October 6, 1993 read with their Advisory Opinion of October 28, 1998, the process of initiation of proposal for appointment of a Judge of High Court rests with the Chief Justice of the concerned High Court and for appointment of a Judge in the Supreme Court, rests with the Chief Justice of India. The Government has been periodically reminding the Chief Justices of the High Courts to initiate proposals well in time for filling the existing vacancies as well as the vacancies anticipated in next six months in the High Courts. Last such reminders were issued on 23.06.2014 and 04.07.2014.
125	The Supreme Court –		The proposals for appointment

	A Fresh Look		of Judges in the Supreme Court are processed expeditiously as and when received from the Supreme Court Collegium. The matter relating to change existing system of appointment of Judges in High Judiciary is under consideration. The Government is seeking views of eminent jurists and various political party on the proposal for setting up of a Judicial Appointment Commission. The recommendations relating to use of service of retired Judges in the Supreme Court, retiring Supreme Court Judges to continue till appointment of their successors and split of Supreme Court in Constitutional Court and Court of Appeal were not accepted.
127	Resource Allocation for "Infra-structural Services in Judicial Administration (A continuum of the Report on Manpower Planning in Judiciary : A Blueprint)		The report relates to providing adequate financial resources for judiciary through Finance Consultative Committee. The matter had also been examined by National Commission to review the working of Constitution which was set up in 2000. It is a Constitutional matter to be dealt with by Department of Legal Affairs.
128	Cost of Litigation.		Accepted. The Court fee payable in the Delhi High Court and Supreme Court has been raised.
129	Urban Litigation – Mediation as alternative to Adjudication.		It concerns Department of Legal Affairs.
131	Role of legal profession in Administration of Justice.		It concerns Department of Legal Affairs.

136	Conflicts in High Court Decisions on Central Laws – How to foreclose and how to resolve.		It concerns Department of Legal Affairs.
188	The Proposals for Constitution of Hi-Tech Fast – Track Commercial Divisions in High Courts.		It concerns Department of Legal Affairs.
189	Revision of Court Fees Structure.		Accepted. The Supreme Court Rules, 2013 enhancing court fees have been approved. Fees payable in Delhi High Court and Subordinate Courts have been raised by Court Fees (Delhi Amendment) Act, 2012.
192	Prevention of vexatious Litigation.		It concerns Department of Legal Affairs.
195	The Judges (Inquiry) Bill, 2005	Not available	Accepted. The Judges (Inquiry) Bill, 2006 introduced but lapsed on the dissolution of 14 <sup>th</sup> Lok Sabha. The Judicial Standards and Accountability Bill, 2010 introduced in the Lok Sabha on 1 <sup>st</sup> December, 2010 aims to (a) achieve the objectives of creating a statutory mechanism for enquiring in to individual complaints against Judges of the High Courts and Supreme Courts and recommending appropriate action, (b) enabling declaration of assets and liabilities of Judges, and (c) laying down judicial standards to be followed by Judges. The Bill, along with the amendments proposed has been considered and passed by the Lok Sabha on 29.03.2012. The Bill is pending for consideration and passing in the Rajya Sabha.

200	Trial by Media: Free Speech Vs. Fair Trial Under Criminal Procedure (Amendment to the Contempt of Court Act, 1971).	29.04.2013	Partly accepted. The recommendation for amendment of Contempt of Court Act not accepted in view of various judgments of the Supreme Court.
213	Fast Track Magisterial Courts for Dishonoured Cheque cases.		MLJ requested the Finance Minister to set up Fast Track Magisterial Courts. However, Finance Ministry provided a grant of Rupees 2,500 crore for setting up morning/evening/shift courts for disposal of petty cases including cheque bounce cases
214	Proposal for reconsideration of Judges cases I, II and III – SP GUPTA Vs. UOI	10.11.2009	Accepted. Suggestions incorporated in the proposed Judicial Appointments Commission.
216	Non-Feasibility of Introduction of Hindi as Compulsory Language in Supreme Court of India.	07.06.2011	Accepted. Legislative Department forwarded its views to the Department of OL and Parliamentary Committee on Official Language.
220	Need to fix Maximum Chargeable Court-fees in Subordinate Civil Courts.		Not accepted. LCI requested on 07.07.2009 to reconsider and make fresh recommendations.
222	Need for Justice-dispensation through ADR etc.		It concerns Department of Legal Affairs.
229	Need for division of the Supreme Court into a Constitution Bench at Delhi and Cassation Benches in four regions at Delhi, Chennai/Hyderabad, Kolkata and Mumbai.	25.08.2009	Recommendations were examined in consultation with Attorney General for India and CJI and not found acceptable.
230	Reforms in the Judiciary – Some suggestions.	Not available	Accepted. Report was forwarded to all Chief Justices of High Courts on 10.12.2010 for appropriate action.
231	Amendments in Indian	10.12.2010	Accepted. Department of

	Stamp Act 1899 and Court Fees Act 1870 Permitting Different Modes of Payment.		Revenue considered the matter in consultation with all State Government and proposed to enact legislation.
236	Court-fees in Supreme Court vis-a-vis Corporate Litigation.		Accepted. President's approval for revision of Supreme Court fees conveyed.