**National Conference on Backlog of Cases & Court Management**



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**SUPPORT OF COURT MANAGERS IN THE INDIAN JUDICIAL FRAMEWORK**

# **ABSTRACT**

## Background

This paper seeks to provide a high-level overview of the recent developments in law that have come up with the view of introducing court managers in the limelight. History has witnessed an inflation in the pendency of cases in courts which has urged the law makers to take this significant step of introducing the concept of court managers. There have been various reasons given by the Ministry of Law and Justice for the existing pendency. One of the main reasons is the shortage of judges which coupled with other subsidiary issues like, poor court management systems, strikes by lawyers, recurring adjournments and lack of knowledge about alternative methods of resolving disputes act as a catapult to the prevalent scenario.

After analyzing the situation, the Supreme Court of India found it imperative to hire professional court managers who ideally had an MBA degree to their credentials. Their main function being providing assistance to the courts. A bench consisting the Chief Justice of India Dipak Mishra along with Justices A M Khanwilkar and D Chandrachud ordered that in every judicial district, there must be a Court Manager who would aid Principal District and Session Judges.

Before the said order, it had been observed that the judicial officers were over burdened with not just judicial proceedings but also other administrative work. And for them to be able to perform the judicial functions properly, it was desperately required that a separate administrate cadre be formed which would relax them in their administrative, managerial and financial capacities so that they have the time and opportunity to discharge their judicial duties.

## Observations

To further implement the same in actuality the 13th Finance commission had set aside a huge amount of 300 crore rupees for the commissioning of Court managers for the span of 5 years, that is from 2010-2015. This was done to assist the judges in performing their administrative duties. However out of the money earmarked only one third was released out of which only one seventh has been utilized so far. The 13th Finance commission also defined a court manager as an officer who would be commissioned on a contractual basis.

The selection of such officers was to be made by the constitution of a committee by the the Chief Justice which shall consist of one or more than one Judge(s) of the High Court, as it may deem fit.

National Court Management Systems (NCMS) has come up with a Policy & Action Plan which had been released by the Chief Justice of India and was further prepared by “National Court Management Systems Committee” In Consultation With ‘Advisory Committee’. It states that the Recruitment policy must be molded in order to yield better results. According to this, there is an ardent need to establish ‘Human Resource Department’ at the High Courts. This specifically includes the need for Court Managers in the present scenario wherein the professional working of Registries has been kept on the highest pedestal. This plan has put forth that it would help in identifying the weaknesses in the court management systems and recommend appropriate steps for correcting it.

The role of Court Managers in Gujarat High Court has been on the forefront. An eligible candidate must be acquainted with the use of vernacular language which in this case, would be Gujrati. Many responsibilities revolve around a court manager. Maintaining professional secrecy, identifying deficiencies and deviations, maintaining evaluation on a current basis of the compliances of the courts are a few responsibilities which can be listed. The selection process also consists of a Preliminary Examination and a Viva-voce Test.

Falling on similar lines, High Court of Himachal Pradesh and Allahabad also have set some guidelines in order to recruit Court Managers. The parent legislation to be followed is ‘Court Manager (Appointment & Service Conditions) Rules, 2010’ which most of the states have adopted. The responsibilities include to establish the standards applicable to the court and always improving the efficiency. The headquarters of the CM as has been listed by the rules must be the High Court or the District Court.

## Recommendations

The loopholes in the area of recruiting Court Managers is that low payroll and demand of high experience ranging many a year in the profile. For effectively enrolling applications in the High Courts and District Courts, some changes need to be introduced, so as to accustom the applicants in a healthy environment to work in. As has been discussed in the recruitment process of Allahabad, Gujrat and Punjab and Haryana High Courts, the payroll is comparatively less according to the experience demanded by the authorities. The current problem of low number of applications can be solved through this process and hence, high number of applications can be expected in the future. The role of Court Managers is indeed a crucial one in terms of unburdening the Judicial Officers from administrative work. The applicants have a lot to offer and hence, decent amount of facilities should be provided to them to cater to the same. One of the most innovative introductions to the schemes of Indian Judiciary has been the introduction of court managers. Another suggestion in the recruitment of CM is that, it is advisable to assess the efficiency from the perspective of court managers as well as from their supervisors i.e. from the district judges. Dyadic nature of research would always be preferred in an ideal case. Such recommendations can yield better outcomes in the healthy functioning of the Indian Judiciary.

# **KEYWORDS**

Court Managers, Judicial officers, justice, unburdening, pendency of cases.

# **INTRODUCTION**

Pendency of cases or the pendency of justice in our country has been a hard-hitting reality. Even though the legislators in the past few years have tried to lessen the list of cases before the courts by introducing various tribunals, discovering various alternate dispute resolution systems, etc. but the burden has not decreased substantially. The judiciary has continued to face the pendency of cases. The long adjournments, the absence of adequate amount of infrastructure, the underemployment of judges and court staffs, the lack of work culture in our courtrooms are some of the major reasons for the pendency. Keeping all this in their mind, the law makers have since a long time discussed and emphasized about the need pertaining to the professional management of court rooms in India.

The main aim of introducing courtroom management is to ensure the proper time efficient working of the courts and help the justice delivery system to run effectively and efficiently. The Apex Court of our country in the case of All India Judges’ Association vs. Union of India has spoken about the need for court room managers to ensure a “proper administrative set up in a court”. In this case an application was filed seeking better infrastructure in subordinate courts, acting on which the Supreme Court directed the appointment of qualified court managers in each judicial district for assisting Principal District and Session Judges.

# **MEANING**

After understanding how the system of court management came into being officially it is imperative to understand what court mangers actually are. Court managers are professionally qualified officials, preferably having a management degree (MBA) who render assistance to the court in discharging administrative functions or duties. The idea behind such appointment is to decrease the load of administrative functions on the judges and appoint somebody else who has the ability, knowledge and skill to perform the administrative work at hand. With this the judges can work towards discharging their judicial duties and not having divert their time towards other official work. As a consequence, the working of the entire system would become smoother and more efficient.

# **NEED FOR COURT MANAGERS**

There are many reasons for the rampant increase in the number of pending cases before the courts, one such reason is the insufficient number of judges discharging duties. The number of judges practicing is way lower than the required number of judges. If the persons responsible for discharging justice are less then it is an obvious consequence that the delays would be more. This problem is not only faced at the lower level but also in the higher judiciary. The reason for such underemployment also stems out from the inadequacy of infrastructure, in terms of court premises and courtrooms. The Law Commission in 1987 had also recommended and emphasized on the need for increasing the number of judges from 13 judges per million to 50 judges per million. Not only has the non-fulfillment of the recommendation of the Law Commission resulted in the pendency of over three Crore pending cases but also the overburdening of judges by asking them to perform administrative duties along with their judicial duties has slowed down the justice delivery mechanism. The judges spend a lot of time performing administrative functions, which is taken out of the time in which ordinarily they should be hearing matters. This is one of the reasons as to why the court should have professional court managers. Once the court managers take charge of the administrative duties of the court, the judges will be able to focus only on the judicial functions, thereby reducing the pendency. The court managers shall also analyze the way the courts have been functioning and by virtue of their management specializations be able to suggest ways in which the court shall be able to function without any speed breakers.

Litigation is increasing day by day, people are becoming aware about our judicial system and are using it to address the issues that they are facing. Not only are more and more people seeking justice by approaching the system but some anti social elements are also causing unnecessary hurdles in the paths of those actually seeking justice by filing fake cases. The precious time of the judges is lost and the people addressing real causes suffer. The court managers in such cases can be of a lot of help. They by closely monitoring the working of the courtrooms can help the judges in finding the glitches which help such people put across fake cases.

# **FUNCTIONS OF COURT MANAGERS**

The court managers while acting under the Chief Justice of the High Court and the District judge have to discharge many duties. Various High Courts have come forward and defined the functions of the court managers on similar lines. The Allahabad High Court however has stated that one of the important duties of a manager is to ensure the proper functioning of the court along with evaluating the practices of the court with the standards of performance prescribed by the higher courts and measuring deviations, if any and try and figure out ways and steps to make the actual performance and the set standards meet. The court manager is also supposed to prepare a Court Development Plan every five years in consultation with all the stakeholders and submit it to the court for consideration and also monitor its implementation. He has to ensure that all statistical information is correctly and accurately compiled and reported on time to the concerned authorities. It would be the duty of the court manager to make sure that every procedure laid down by the Higher Courts are followed at all times and more importantly he has to ensure that he performs all the designated administrative duties that may be assigned to him at any time during the course of his such employment.[[1]](#footnote-1) Along with the above-mentioned functions the managers are supposed to perform other managerial functions also, like budget management, e-management, planning, case management, data management, etc. On the similar lines other High Courts such as the Punjab and Haryana High Courts, Himachal Pradesh High Court, Bombay High Court[[2]](#footnote-2), etc. have also enlisted the duties and functions of the court managers.[[3]](#footnote-3)

# **REQUIREMENTS FOR BECOMING A COURT MANAGER**

The above-mentioned high courts have not only spoken about the functions that the managers must perform but have also given the criteria that is needed to be fulfilled for their selection. The criterion provided by the Bombay High Court provides that the aspirant for the post of a court manager must have an MBA degree or a diploma in management to his or her credentials. He should have at least 5 years of working experience in the fields of HR management, I.T. management or finance management. Should be well versed with basic computer skills and also should have cleared either MSCIT or DOEACC examinations. Also, a priority must be given to the applicants having a law degree. Furthermore, the parameters that one needs to fulfill for the post of a Senior Court manager involve the same requirements as that of a court manager. The only extra condition that the candidate must fulfill is that he must have a working experience of 5 years in either a government organization or a reputed industry. For the post of the general manager at the High court level the parameters remain the same as that of the senior court managers post, the only difference being that the working experience should be that of 8 years.[[4]](#footnote-4)

Apart from the skill based requirements there are some other requirements as well, which include the age requirements. The manager should at least be of 25 years of age and not more than 40 years old in case of general category and 45 years for the backward classes, on the date of application. He must also be a citizen of the country, should not have more than two children and should not have been debarred from applying by any high court.[[5]](#footnote-5)

The Bombay High Court as mentioned above has provided a detailed list of qualification requirements of a potential candidate, however, the Allahabad high court while giving its requirements has only mentioned a few general requirements which are, first, the candidate must be an MBA graduate or must have a diploma in the field of management studies from any authorized university. Secondly, the aspirant must not be above 40 years of age on the day of application and no special age considerations were mentioned for the backward classes like Bombay High Court did. Thirdly, the manager must have an experience of a minimum of 10 years in Human resource, I.T. or financial management, which also differs from the criteria put forth by the Bombay High Court. Fourthly, the candidate must have good communication and computer skills.[[6]](#footnote-6)

# **SELECTION PROCESS**

On similar lines, the High Courts of Allahabad, Himachal Pradesh and Bombay have laid down the selection process of a court manager. According to the process laid down the appointment of the manager shall be done by the State government in consideration with the suggestions of the committee formulated. The committee shall be chaired by the a High Court Judge who shall be recommended by the Chief Justice of the High Court and shall have any principal secretary as appointed by the state government and principal secretary of Law and justice as its other members. The process of application would begin with the publication of such requirement of vacancy in two newspapers- one Hindi and one English having a fairly wide circulation amongst masses ands also affixation of such notice on the notice boards of the high courts and well as the district courts. The eligible applicants who apply after getting to know through one of those forums will be interviewed and the candidate shall be shortlisted. The job will be that of a contractual nature and will be subjected to every year, keeping in mind the availability of funds and job.

The appointment and selection of the managers will be only after the concerned authorities conduct fitness test and medical test. If any discrepancies are found in the test the appointment can be cancelled and annulled at any given point without further notice. A background and character check is also conducted before appointment. If a candidate fits the criteria and has successfully passes the fitness, medical and background check he is posted. The posting usually lies in the hands of the Chief Justice of the High Court who also has the authority of transferring the court managers from one High court to the other. Once posted the managers cam take charge of the court staff, which usually includes a stenographer, one clerk and one peon and can start discharging his duties and responsibilities.

The rules of Gauhati High Court (Appointment & Conditions of Service of Court Managers) (Assam) Rules, 2012 clearly specifies the temporary post of Court Manager that has been created and sanctioned by the Government of Assam by the advent of 13th Finance Commission Grant-in-aid scheme.[[7]](#footnote-7)

The qualification that has been specified by the government accounts in itself a Bachelor degree with Masters in Business Administration or Advanced Diploma in General Management from a UGC recognized University in India. A period of 5-year experience is a mandate in HR/IT or financial Management so that the person is accustomed with the job of management. The understanding and acquaintance with the Official language of Assam is important for the Court Manager. Another parameter which would give preference to a candidate would be some prior knowledge of law.

The cringing point is wherein the appointment of Court Manager is on a contractual basis and it can be terminated at any time without any prior notice.

The core responsibility of a Court Manager is to assist Registrar General in the principal seat of the High Court and the district Courts in respective Judicial Districts in the administrative functioning of the Courts to enhance the efficiency of the Court Management.

The Court Managers must directly report to Registrar General in the case of High Court and Sessions Judge in the case of District Court.

Also, an aspect of training is necessary for the post of Court Manager that has been prescribed by the High Court from time to time.

In accordance with Rule 9 of the Gauhati High Court (Appointment & Conditions of Service of Court Managers) (Assam) Rules, 2012, the Court Managers appointed in the Principal Seat of Gauhati High Court as well as District courts of Assam are drawing 10 % increase in their consolidated pay of Rs. 50,000 post the amendment.[[8]](#footnote-8)

# **REDUCING THRE BURDEN OF THE COURT STAFF BY TAKING UP THE ADMINISTRATIVE JOBS**

The duties and responsibilities of the court managers are very diverse in nature, however out of these diverse functions the most important function that he does is taking the administrative job of a court room in his hands. When a person specializing in management takes up the administrative jobs of the court such as making sure that the policies and rules laid down by the high courts are followed or making the Court development Plan or recording and reporting the number of cases to the concerned authorities, the job of the other staff members becomes less burdensome and they can now perform the task which they specialize in. They would be able to competently perform administrative functions better by supervising and managing them. Supervision will smoothen the work, as by supervising they will be able to discover the administrative glitches, which makes the work slower and help overcome them by suggesting methods of improvement. By virtue of the management functions the court managers shall help in increasing coordination and achieve set goals. They would also assist the court in performing the five functions of management, which include organizing, planning, controlling, budgeting and reporting.

The above-mentioned administrative functions were earlier performed by the judges and the court staff and the time spent on doing these tasks was taken out from the time the court was functioning which would reduce the time in which the judges were actually hearing matters and deciding them. With the court managers coming into the picture, the burden of the court staff has reduced substantially as they no longer have to perform functions like e-court updates or I.T management, etc. and can rather work on their prescribed jobs which can help reduce the pendency of cases in the courts. It is already a known fact that there is a major problem pertaining to underemployment of judicial officers, however if those in duty also spend the their time performing administrative functions the pendency of cases in courts in bound to increase. Therefore, the steps taken by the Supreme Court in their initiative of making court room a professionally managed space was extremely important considering the pendency of more that 3 crore cases and the importance and need of the professional management has been expressed by the law thinkers for a very long time.

# **FINDING OF THE 13TH FINANCE COMMISSION REPORT**

The Finance commission came into being in year 1951 and was created by the then president of our country under the Article 280 of our Indian Constitution. The basic aim behind such establishment was to have a separate body, which would help in defining the relations pertaining to finance between the central government and the different state governments. The 13th finance commission with the motive of helping and aiding the prevailing justice delivery mechanism has set aside and advised a grant of 5000 crores for the same. The above said money will be put to use for aiding various institutions. The money out of the amount set aside shall be used for various initiatives which include creating shift courts which means having two shifts- morning and evening and increasing the usage of the same infrastructure in two slots. Providing priority support to Lok Adalats and helping in the promotion of alternative dispute resolution systems and also arranging training programs for the judicial officers. Although many other issues to be aided were discussed the most important and relevant issue mentioned was the creation of a post of the court manager in every courtroom to assist the judicial officers in performing their administrative duties.

Out of the 5000 crores granted the 13th Law Commission decided to set aside 300 crores for the employment of court managers. This was done keeping in mind the importance of increasing the efficiency od courts which could only be done by deploying professionals who would take on the administrative functions. The commission suggested that the judges devote more time on their judicial duties and work towards lessening the pendency before them and these court mangers take charge of the administrative responsibilities. They said that two posts for each high court must be created and one court manager must assist the principal and district judge. However they gave the leverage to the high court to decide if it needed one or two court managers.[[9]](#footnote-9)

# **IDEA OF SETTING UP NCMS**

A large number of the proposals made by the Law Commissions don't require Legislative or Executive interference and they can straightaway be able to be actualized by the Judiciary. In any case, some would. The Judiciary is alive to the inadequacies and ills confronting it and, so as to keep pace with time and changed situation, the usage of the proposals is required. A proposition was put before Hon'ble the Chief Justice of India underscoring the requirement for a thorough "National Court Management Systems" for the nation that will improve the quality, responsiveness and efficiency of Court.

As the Centre of each branch is critical, the significance of judicial branch can never be undermined, similarly as legislative and executive capacities can't be neglected. The judiciary should be furnished with imperative measure of resources, be in financial aspects or human. The judiciary has dependably been worried to settle the outstanding task at hand of subordinate judiciary in the most ideal way that could be available. The greatest step the judiciary has taken is of comprising National Court Management System (NCMS) in 2012 and also subsequently, released a ‘Policy & Action Plan’ document in order to implement it.

The National Court Management Systems will be under the general control of Hon'ble Chief Justice of India. It will fundamentally manage issues related with policies. NCMS will incorporate a few accompanying primary components which constitute setting up of **National Framework of Court Excellence (NFCE)** that in a way, balances out the execution benchmarks for Indian courts, tending to **issues of value, responsiveness and convenience**. Next, a system of **Case Management** can be formed in a way for it to be people friendly. A **Human Resource Development Strategy** sets benchmarks on choice and preparing judges for the cause of subordinate courts. The managerial and innovative "spine" of these frameworks will be kept up at the Supreme Court and directed by a Committee comprising of the representatives. Also, a framework for observing and improving the execution parameters would be taken up by the NFCE on the aspects of quality, responsiveness and convenience. Moving on, **National System of Judicial Statistics (NSJS)** gives a typical national stage for recording and keeping up with the judicial statistics from the nation over. NSJS ought to give continuous insights on cases and courts that would help in empowering methodical examination of key factors, for example, quality, timeliness and proficiency of the legal framework over courts, regions/states, types of cases, cost, profitability and productivity of courts. A **Court Development Planning System** would give a structure to orderly five-year plans for the improvement of the Indian legal system.[[10]](#footnote-10)

The report[[11]](#footnote-11) focuses on mere case pendency that does not have to be viewed as a bane; it is the inescapable associative of development which puts up in its ambit the values of financial, social, an indicia of success and mindfulness. In any case, while insignificant documenting isn't a reason to worry, the presence of countless cases way beyond the stipulated time lines is on the grounds that it hampers the capacity of judges to manage new cases.

The philosophy recommended by the National Court Management Systems Committee that was favoured by the Government of India has been analysed. The feature of this report be that as it may, is the presence of new philosophies which were proposed, that is the Human Development Index strategy, which basically presents in light of past propensities, the number of cases in bunches of states with comparable HDI ratings and forecasts the number of cases liable to be recorded in future.

The main cause to bring in this scheme is to make the Judicial System as good as ‘five plus free’ which in clear terms would mean getting free of cases which are more than five years old. It is now basically a must to shorten the lifecycle of cases.

In view of this evaluation and different strategies for assessments that includes unit-based method, averaging methodology, literacy level, case increase level etc, the report proposes an expansion in judges’ strength throughout the following three years, as transient focus, just as the judge strength for the next 25 years to accomplish the objective of disposal of cases in 1-1½ years at the maximum.

The report makes a similar investigation of allowance to other open and public services in juxtaposition to the accessibility of judicial services at the principal occasion court level. This makes people rethink justice as a basic social service, like medicinal and policing administrations, to be made accessible to citizens consistently paying little heed to contemplations of money related or administrative issues.

Ever since, the NCMS has sought after research and concentrate on judicial arrears, framework and planning. Along these lines, this report would contend that as an accomplice in administration, the legal framework's adequacy cannot be undermined by detachment with respect to different organs to take into account its manpower and infrastructural needs.

# **NEED OF ESTABLISHING HUMAN RESOURCE DEVELOPMENT STRATEGY**

One the elements of NCMS specifies a “Human Resource Development Strategy” to be formed in order to set up standards on the selection of judges of subordinate courts. According to the requirements by the system, a set of Qualities, Attitude, Skills and Knowledge (QASK) of the bench, bar, ministerial staff, litigants and executive agencies has come forward as a key challenge in order to develop a comprehensive Human Resource Management System for the purpose of training, selection and subsequent support functions.

The scheme that has been brought forward by NCMS which aims to achieve the purpose of timely justice comes forward for the establishment of comprehensive Court Management System to upgrade responsiveness and quality.

There is a plethora of young aspirants who possess a good degree in the field of training in computers and for this sole purpose, the performance of each employee must be evaluated around the year as many others are waiting in the queue. The point of Court Managers has now been highlighted as many High Courts are recruiting them. The need to recruit additional personnel becomes necessary on the basis of their performance as Court Managers as the number of courts is likely to double up in the coming future. Giving away managerial duties to Managers would lessen the burden of administrative work on judges and this would further bring efficiency in their work. And they would also accomplish the goal of making the judicial system ‘five plus free’.

# **HURDLES FACED BY COURT MANAGERS IN INDIA**

One point cannot be done away with and that is, that Government of India comes up with great initiatives to clear the plethora of issues in front of it. But the reality which strikes is slightly different than what gets planned.

In the case of instituting Court Managers in the legal system to help the judiciary focus on judicial aspects rather than the administrative work has looked great on paper but the way it has been executed has been in the negative area for a while. It all started with the recent Supreme Court order wherein in the case of All India Judges’ Association v. Union of India[[12]](#footnote-12), it expressed its view that there is a dire need of assistance of Court Managers for a proper administrative set up in a court. It is after this order, that an application for better infrastructure in subordinate courts was made crucial and also calls for MBA qualified Court Managers to assist the case of Principal District and Sessions Judges in performing the daily administration of the court.

The court makes an effort to segregate the role of court managers to be to “identify weaknesses in the court management systems and recommend workable steps under the supervision of their respective judges for rectifying the same”, to cater to “enhance efficacy of a district’s judicial system” and “enable District Judges to devote more time to their core work, that is, judicial functions”.

On the face of it, it all seems very logical that how an appointment of a well-qualified would help the legal system into diving their way into a regulated and well-paced system and also how it would help them to get done with the problem of pendency of cases in no time.

Let us look at the realistic aspect now. As of various statistics and surveys, it has come into light that the experiment underway has yielded minimal results in the courts in India.

It all originated how Court Managers posts were provided in the 13th Financial Commission Report which allocated Rs. 300 crores for a period of five long year, that is 2010-2015. The report was silent on the aspect of tenure of these proposed appointments. Also, in another notification laid down by Ministry of Finance, which had been released in September 2010, it had come up with broad suggestions about the role and qualifications of Court Managers but another time, the clarification about their permanency of position was not clear.

One loophole according to my analysis has been the way how ministry gives Court Managers the stature of non-permanent employees and outsiders. This has not serving them well and hence; the nature of appointments is based on various issues that concerns this post. Till date, the number of Court Managers who have been recruited were hastily appointed across India and they were recruited on yearly contractual basis.

If one enters the nitty gritty of the Courts, one would tend to see that Court Managers have also faced clear-cut resistance from an uncooperative administrative staff who don’t wish to entertain temporary ‘outsiders’.

One more point to be made is the ultimate authority to overlook at the administrative duties lies in the hands of a Judicial officer according to the Court Rules. So, the whole purpose of appointing of Court Managers goes down the drain and all the administrative powers and responsibilities will lie with the Judicial Officers at the end of the day. Also, in the area of checking on the ‘quality of adjudication’, a court manager tends to come out as an ill-equipped and an unqualified person to perform this task.

The application count for the appointment of Court Managers is so low because the Ministry asks for extra-ordinary qualifications and in return, makes them do mundane tasks which do not par up with their qualifications. A report led by National Judicial Academy on the status of Court Managers in 2017 stated that in a few states, Court Managers are doing work such as making monthly case-status reports, checking attendance registers, etc. This kind of an acknowledgement demotivates high-qualified working professionals from contributing more.

Another problem or hurdle as you call it, that has been faced by the administrative chunk hired by Courts is that the low payroll. There is so much disparity across states which varies between Rs. 20,000 to Rs. 55,000 in different states. Also, the frequent on-off of their positions hijack the zeal to work for this post. In the report of National Judicial Academy, a rough number of 30 odd Court Managers had been removed in Andhra Pradesh by the 2016 notification and this was due to failure of funds released by the 13th Finance Commission.

# **SUGGESTIONS WITH REGARDS TO THE APPOINTMENT OF COURT MANAGERS IN INDIA**

There are number of problems and hurdles that the Government and Judiciary need to solve before recruiting Court Managers as they are recruited as of now. The requisite amount of changes needs to be brought in for a smooth court management.

The problems have been varied in number and major steps must be accounted for by the Government and Judiciary. It is an imperative requirement that a permanent Court Manager post be created in all Presiding District Judge courts to make sure there is long-term engagement. And also, there must be a segregation between the administrative personnel and the Court Managers. The Court Managers must ideally be accountable to the Presiding Judicial Officer and the roles must be clearly defined so that one cannot intervene in the work of another.

Another suggestion can be to raise up the payroll and provide lucrative pay-scales to the highly qualified working professionals who are being hired. Also, last suggestion can be to bring in amendments to shift the major chunk of administrative work to the Court Managers within the administrative hierarchy to do justice to their role.

The listed suggestions would bring in major changes with regards to how the courts function as of now and how they can improve by executing such changes. Also, the number of appointments would get higher contributing into lowering of pendency of cases.

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2. http://bombayhighcourt.nic.in/recruitment/PDF/recruitbom20111021100050.pdf [↑](#footnote-ref-2)
3. <https://hphighcourt.nic.in/pdf/CondCourtManagers31072013.pdf> [↑](#footnote-ref-3)
4. Supra 2 [↑](#footnote-ref-4)
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6. http://www.allahabadhighcourt.in/rules/court\_manager\_16-04-12.pdf [↑](#footnote-ref-6)
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12. 1992 AIR 165 [↑](#footnote-ref-12)