

**ANNUAL
ADMINISTRATIVE
REPORT 2010 -11**

*Law & Legislative Affairs
Department, Government of
Manipur*

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INTRODUCTION

The Law & Legislative Affairs Department consists of three main sections namely, (1) the Legislative Affairs Section, (2) the Legal Affairs Section, and (3) the Judicial Section. This Department though small in size is one of the key departments of the Government of Manipur.

The Law and Legislative Affairs Department is the nodal department in so far as the administration of justice in the State is concerned.

The Legislative Section mainly deals with the works of drafting Bills and subordinate legislation sponsored by various Departments. The Department is supposed to screen all the legislative proposals from all the Departments .

The Legal Affairs Section tenders advices to the Departments of the State Government on legal and Constitutional issues, and looks after Government litigation works in the Subordinate Courts, High Courts and Supreme Court of India and Tribunals. It is also given administrative responsibility, inter alia, of Legal Services programme, Prosecution, etc.

The Judicial section of the Department deals with administration of the Judiciary. The administrative proposals of the Judiciary are processed through this Section though the actual immediate control and superintendance of the matters of the Subordinate Judiciaries/ Courts rests with the Gauhati High Court.

The Law and Legislative Affairs Department is the administrative department in respect of the Manipur State Election Commission and also deals with the parliamentary matters.

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CHAPTER -I

LEGISLATIVE AFFAIRS

The Legislative Affairs Section deals with the work of drafting all Government Bills, Ordinances, Regulations, scrutiny of statutory rules, orders and notifications, and publication of State/Central enactments and parliamentary matters.

Acts enacted during the Year 2010

1. The Manipur Appropriation(No. 1) Act, 2010
2. The Manipur Appropriation(No. 2) Act, 2010
3. The Manipur Higher Secondary Education(Second Amendment) Act,2010
4. The Manipur Appropriation(No. 3) Act, 2010
5. The Salaries and Allowances of Members of the Legislative Assembly(Manipur) Eleventh Amendment Act, 2010
6. The Salaries and Allowances of Ministers (Manipur) Eleventh Amendment Act, 2010
7. The Manipur Municipality Community Participation Act, 2010
8. The Manipur Essential Services Maintenance (Amendment) Act, 2010
9. The Manipur State Minorities Commission Act, 2010
10. The Manipur Co-Operative Societies (Fourth Amendment) Act, 2010.

2. PARLIAMENTARY MATTERS:

As regards the parliamentary matters, the liaison works between the State Legislative Assembly and the State Government are done through this section in respect of Government business in the Manipur Legislative Assembly.

There had been two Sessions, namely – 8th Session and 9th Session of the Ninth Manipur Legislative Assembly, (I) 7.7.2010 to 30.7.2010 and (II) 22.12.2010 to 23.12.2010.

Besides, all aspects of work relating to the official language in the field of law are also dealt with in this Department.

3. **STATE ELECTION COMMISSION:**

The State Election Commission, Manipur during the year 2010-2011 conducted General Elections to elect 1(one) Member of each District Council Constituency of the 6(six) District Councils under 6 (six) Autonomous Districts of Senapati, Sadar Hills, Ukhrul, Chandel, Churachandpur and Tamenglong with each Autonomous District comprising of 24(twenty four) District Council Constituencies have been successfully conducted after a long gap of about 20 (twenty) years. Further, General Elections to elect 1(one) Councillor and 2 (two) Ward Development Committee Members of each Ward of the 8 (eight) Municipal Councils and 18 (eighteen) Nagar Panchayats have also been successfully conducted. The list of the 8 (eight) Municipal Councils and 18 (eighteen) Nagar Panchayats is given below :

MUNICIPAL COUNCILS

1.	Jiribam
2.	Mayang Imphal
3.	Thoubal
4.	Kakching

5.	Nambol
6.	Bishnupur
7.	Ningthoukhong
8.	Moirang

NAGAR PANCHAYATS

1.	Andro
2.	Lamlai
3.	Sekmai
4.	Lamsang
5.	Lilong (IW)
6.	Shamurou
7.	Wangoi
8.	Thongkhong Laxmi Bazar
9.	Lilong (TBL)

10.	Yairipok
11.	Sikhong Sekmai
12.	Heirok
13.	Wangjing Laming
14.	Kakching Khunou
15.	Sugnu
16.	Oinam
17.	Kwakta
18.	Kumbi

4. CODIFICATION:

The Law & Legislative Affairs Department has initiated compilation works to produce updated and more comprehensive Manipur Code.

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CHAPTER - II

LEGAL AFFAIRS SECTION

The main function of the Legal Affairs section is to tender legal advices to the Departments of the State Government on legal and Constitutional matters and to look after the prosecution, conveyance and litigation works of the State Government. The matters relating to legal aid to the poor/needy persons are also concerned with this section.

The Section is also responsible for the engagement of Government Counsel and appointment of Advocate General and Government Advocate/ Addl. Government Advocates and engagement of private Senior Advocates/Advocates for conducting cases in the Supreme Court, High Court and Subordinate Courts or Tribunals on behalf of the State Government. One Standing Counsel for the State Government has been retained for the cases in the Supreme Court of India and one at the Gauhati High Court, Principal Seat at Guwahati. Matters relating to the appointment, fixation of fee etc., of arbitrators in cases where State is a party and engagement of Counsel before the arbitrator are also dealt with by this Section.

1. MANIPUR STATE LEGAL SERVICES AUTHORITY

The Manipur State Legal Services Authority was constituted on 19.1.1998. At present Shri Justice T. Nandakumar Singh, Judge, Gauhati High Court is the Executive Chairman and Shri Ph. Surendra Singh, MJS Grade-I is the Member Secretary of the Manipur State Legal Services Authority.

Lok Adalats held at Uripok Cheirap Court Complex from 1-4-2010 to 27-1-2011

During the period, 909 cases were taken up, out of which 114 number of Motor Accident Claims Tribunal cases, 50 Civil Cases, 456 Criminal cases were disposed of. In Motor Accident Claims Tribunal cases, altogether a total sum of Rs.1,94,370,000 compensation amount were settled.

Some important NEW Programmes taken up by the State Authority during the year are :-

- (1) Sensitization Programme of the Judicial Officers and Legal Aid Counsels held on 19-6-2010 on the Topic "Plea Bargaining and Responsibilities of Legal Aid Counsels in Criminal Justice Administration".
- (2) Sensitization Programme of the Judicial Officers, Prosecutors, Legal Aid Counsels and Advocates held on 21-8-2010 on the Topic "Plea Bargaining and Section 89 C.P.C.
- (3) Opening of Free Legal Counselling Centre on 21-8-2010 at the District & Sessions Court Complex , Uripok, Imphal.
- (4) Opening of the Legal Aid Clinic on 27-9-2010 at The Royal Academy of Law, Oinam, Bishnupur District, Manipur.
- (5) Opening of the Legal Aid Clinic on 29-9-2010 at The L.M.S. Govt Law College, Imphal, Manipur.

2. DIRECTORATE OF PROSECUTION:

The Directorate of Prosecution was established in the last part of 1983 under the administrative control of the Law Department.

The Directorate has done scrutiny of 200(two hundred) FIR Cases during the period of 2010-11 in addition to other functions and duties.

The number of cases disposed of in the various Courts during the period from 2010-2011 are given below:-

(1)	No. of Cases disposed of	-	87
(2)	No. of cases ended in Acquittal	-	10
(3)	No. of cases ended on Conviction	-	35
(4)	No. of cases ended on Discharge	-	42

CHAPTER - III

JUDICIAL SECTION

Part - I

GENERAL COURTS

In connection with administration of Justice, Manipur is divided into two Judicial Districts, namely, Manipur East and Manipur West. Manipur East consists of the Districts of Imphal West, Imphal East and Ukhrul. Manipur West consists of the Districts of Thoubal, Bishnupur, Churachandpur, Tamenglong, Senapati and Chandel. With a view to keep justice dispensation system under administration of justice within the easy access of the common people in the urban as well as rural/interior area including the hill areas, courts had been established for all the nine Revenue Districts of the State of Manipur.

A list of the Courts as at present is given below:-

Sl.No.	Name of Court	Number
1.	District & Sessions Court	2
2.	Addl. District & Sessions Court	2
3.	Addl. District & Sessions Court (Fast Track Court)	2
4.	Civil Judge (Senior Division) Court	3
5.	Chief Judicial Magistrate	9
6.	Civil Judge (Junior Division)-cum-Judicial Magistrate 1 st Class Court	9
7.	Judicial Magistrate 1 st Class (Transport)	1

Total: -

28

STATEMENT OF CASE for 2010-2011

(I) District & Sessions Division, Manipur East -

Sl. No.	Particulars	Civil cases	Criminal Cases
I	II	III	IV
1.	Pending at the beginning of the year	2634	3985
2.	Instituted during the year	1320	4097
3.	Cases disposed of during the year	1740	4127
5	Pending at the end of year	2214	3955

(II) District & Sessions Division, Manipur West

Sl. No.	Particulars	Civil cases	Criminal Cases
I	II	III	IV
1.	Cases disposed of during the year	72	2968
2.	Pending at the end of the year	598	974

Part- II
FAST TRACK COURTS:

The aims and objects of the establishment of the Fast Track Court is for speedy disposal of the two years old sessions cases and important civil cases and cases instituted under the Narcotic Drugs and Psychotropic Substances Act, 1985.

The term of the 2 (two) Fast Track Courts namely the Addl. District & Sessions Judge, Manipur East and Manipur West are upto 31st March, 2011 with meagre grant of funding of the Govt. of India at the rate of Rs. 4.8 lacs per Court per year in the interest of the litigants/people of Manipur.

The disposal of long pending Civil Cases and Sessions Trial Cases by Fast Track Courts for year 2009 are as follows: -

Name of FTC	Year	Number of cases disposed of
The Addl. District & Sessions Judge (FTC) Manipur East	2009	103
The Addl. District & Sessions Judge (FTC) Manipur East	2009	184

Part - III

COURTS UNDER SPECIAL LAWS

1. FAMILY COURT

The Family Court, Manipur was established on 12th August, 1992 for three Districts i.e. Imphal, Thoubal and Bishnupur. The territorial jurisdiction of the Family Court, Manipur has been extended throughout the whole of State of Manipur by a notification No. 4/2/85-Judl./L(Pt) dt. 25-2-2005.

The number of cases instituted, disposed of and pending are given below :

1. No. of cases for disposal as on 31-12-2010 : 1754
2. No. of cases disposed of as on 01-01-2010 to 31-12-2010 : 386
3. No. of cases pending as on 31-12-2010: : 1368

2. SPECIAL COURT (ND & PS), MANIPUR:

The State of Manipur being one of the prone transit area for trafficking or smuggling-in of Narcotic Drugs & Psychotropic Substances in the North-East India, the State Government constituted the Special Court (NDPS), Manipur in 1995 to try all cases relating to Narcotic Drugs.

The total numbers of pendency (arrear plus instituted) of Charge Sheeted Cases, Cril.Misc. (B) Cases, Cril. Misc. (Zima) Cases, Cril. Misc. (F.R.) Cases and Cril. Misc. Cases during the year is 1837, 74, 23, 3 and 35 respectively. Out of which, 25 number of Charge Sheeted Cases, 69 Cril. Misc. (B) Cases, 18 Cril. Misc. (Zima) Cases, 1 Cril.Misc. (F.R.) Cases, and 35 Cril. Misc. Cases were disposed. Hence, the total numbers of pendency of

Charge Sheeted Cases. Cril.Misc. (B) Cases, Cril. Misc.(Zima) Cases, Criminal Misc. (F.R.) Cases, and Cril.Misc. Cases have come down to 1812, 5, 5, 2, and 0 respectively.

Tremendous effort has been taken up in collaboration with the Prosecution for production of witnesses in all cases on every date of hearing so that disposal of cases is not delay for non-production of witnesses. Appointment of sufficient staff in this court at an early possibility will also be another factor for smooth functioning of this court as well as for speedy disposal of cases.

CHAPTER-IV

HIGH COURT

The State of Manipur has at present the Gauhati High Court, Imphal Bench.

The State Government is pursuing to the Centre vigorously for immediate establishment of a separate High Court for the State of Manipur.

CHAPTER - V

THE OFFICE OF THE PUBLIC PROSECUTOR CUM GOVERNMENT (HIGH COURT), MANIPUR:

The Office of the Government Advocate-cum-Public Prosecutor (High Court) deals and supervises litigations before the Hon'ble Gauhati High Court and its other Benches on behalf of the different Departments of the State Government. The nature of work in this office is different from that of other State government Departments /offices.

The present strength of the Law Officers in the Office of P.P. (High Court), Manipur are:-

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| 1. Government Advocate-cum-
P.P.(High Court), Manipur | - 1 |
| 2. Addl. P.P. -cum-
Addl. Govt. Advocate(High Court), Manipur | - 1 |
| 3. State Government Counsel | - 5 |
| 4. Junior Govt. Advocate | - 7 |

CHAPTER-VI

Award of 13th Finance Commission

The 13th Finance Commission has allocated a grant of ₹ 11.59 crores to be disbursed from 2010-2011 to 2014-2015 for improvement of Justice delivery system in the State on 7 separate items namely, Morning/Evening Shift Courts, Alternative Disputes Resolution (ADR) Centres, Lok Adalat & Legal Aid, Training of Judicial Officers, Training of Public Prosecutors, Court Managers and Maintenance of Heritage Court Buildings.

The State Government in consultation with the Gauhati High Court has started taking up implementation of programme/project. All the Courts in Manipur has started holding of Holiday Courts with a view to increase working days of Courts thereby speeding up the disposal of cases. A committee under the Chairmanship of Hon'ble Minister (Law) has been constituted for preservation of the Cheirap and Panchai Court buildings at Cheirap, Uripok as the State's Heritage Court Buildings. Imparting of training to the Judicial officers and Public Prosecutors has been started from the month of February with the support of State Academy of Training on Computer skill, Capacity building, Development of personality, Case handling and Management etc. Actions have been stated for setting up a main ADR (Alternative Disputes Resolution) Centre at Imphal and Court attached ADR Centres in other Districts.
