

ADMINISTRATIVE REPORT

2012-2013

GOVERNMENT OF MANIPUR

**SECRETARIAT: LAW & LEGISLATIVE
AFFAIRS DEPARTMENT**

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20.6.13

CHAPTER - I

INTRODUCTION AND ORGANISATIONAL SET-UP

1.1 The Law & Legislative Affairs Department deals with three main works, namely, (1) the Legislative Affairs, (2) the Legal Affairs, and (3) the Judiciary. The Department is also given the administrative responsibility of the Prosecution, the Manipur State Election Commission and the Manipur Human Rights Commission.

1.2 The Department continues to function under the charge of a Cabinet Minister. On the administrative side, the Department is headed by a Secretary to the Government of Manipur and he is assisted by one Joint Secretary, one Deputy Legal Remembrancer and one Under Secretary during the period.

CHAPTER - II

LEGISLATIVE AFFAIRS

2.1 The Law & Legislative Affairs Department is concerned with vetting to the drafts of all legislation for the State Government viz, Bills to be introduced in the Manipur Legislative Assembly, Ordinances to be promulgated by the Governor, regulations, statutory rules, orders and notifications of various Departments, publication of State and Central enactments, and Parliamentary matters.

2.2 During the period under report, three Sessions of the Tenth Manipur Legislative Assembly were held. The dates of summoning, adjournment sine-die and prorogation are as under:

Session	Date of summoning	Date of adjournment sine-die	Date of prorogation
Second Session	June 27, 2012	July 13, 2012	September 3, 2012
Third Session	December 19, 2012	December 20, 2012	February 8, 2013
Fourth Session	March 6, 2013	March 8, 2013	April 19, 2013

2.3 The Acts enacted during the Year are:

1. The Manipur Appropriation (No. 3) Act, 2012
2. The Manipur Value Added Tax (1st Amendment) Act, 2012
3. The Manipur Panchayati Raj (Seventh Amendment) Act, 2012
4. The Manipur Professions, Trades, Callings and Employment Taxation (Eighth Amendment) Act, 2012
5. The Manipur Municipalities (Sixth Amendment) Act, 2012
6. The Manipur Parliamentary Secretary (Appointment, Salary and Allowances and Miscellaneous Provisions) Act, 2012

2.4 The Department has taken up steps for a revised and updated edition of the Manipur Code so that all the enactments of the State Legislature are included in the compilation and codification work for reference. Besides, the Department has started uploading of the Acts of the State Legislature under the Official Website of Manipur www.manipur.gov.in.

2.5 The Law & Legislative Affairs Department serves as an important link between the State Legislative Assembly and the State Government in respect of Government business in the Manipur Legislative Assembly. The Department renders secretarial assistance to the summoning and prorogation of Sessions of the Manipur Legislative Assembly. As regards parliamentary matters, the Department is involved in liaison works with the concerned Departments and the Parliament. During the year, the Department coordinated visit of Department Related Parliamentary Standing Committee on Personnel, Public Grievance, Law & Justice on 9th and 10th June, 2012 for the infrastructure development and strengthening of subordinate courts in the country.

CHAPTER - III

LEGAL AFFAIRS

3.1 The Law & Legislative Affairs Department is concerned with advising the various Departments of the State Government on legal and Constitutional matters.

3.2 The Department looks after the prosecution, conveyance and litigation works of the State Government. The Department is responsible for the engagement of Government Counsel and appointment of Advocate General and Government Advocate, Addl. Government Advocates and engagement of private lawyers 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 is engaged for the cases in the Supreme Court of India.

3.3 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 Department.

3.4 The matters relating to the Manipur State Legal Services Authority are also concerned with the Department. The Manipur State Legal Services Authority was constituted on 19.1.1998. Shri Justice Abhay Manohar Sapre, Chief Justice of the High Court of Manipur is the Patron-in-Chief and Shri Justice N. Kotiswar Singh, Judge of the High Court is the Executive Chairman of the State Authority. One MJS Grade-I Officer is the full time Member Secretary of the State Authority.

3.5 During the period from 1.4.2012 to 31.12.2012, the Manipur State Legal Services Authority organized 42 Legal Literacy & Awareness Campaign at different places in all the Districts in the State and three Lok Adalat sittings were held. The State Authority launched the Live Phone-in-programme on legal services in the Kangla Channel, All India Radio, Imphal w.e.f. July, 2012 on 3rd Monday of a month.

3.6 Lok Adalats held during the year are shown below :

Period	No.	No. of case taken up	No. of case disposed of	Compensation awarded
1	2	3	4	5
01.04.2012 to 31.12.2012	3	Motor accident claim case - 224	77	Rs. 46,25,500

CHAPTER – IV

JUDICIARY

HIGH COURT

4.1 During the year, the State of Manipur got its own High Court, namely, the High Court of Manipur on March 23, 2013 with Shri Justice Abhay Manohar Sapre as the Chief Justice and Shri Justice N. Kotiswar Singh as the Judge of the High Court. The High Court of Manipur has a sanctioned strength of four Judges including the Chief Justice.

SUBORDINATE COURTS

4.2 The number of Courts other than Courts set up under special laws are 28 as given below:

Sl.No.	Name of Court	Number
1.	District & Sessions Court	2
2.	Addl. District & Sessions Court	2
3.	Addl. District & Sessions Court (FTC)	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

4.3 The case disposals during the year 2012 are given below :

(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	2644	4384
2.	No. of cases instituted during this year	2232	5717
3.	No. of cases disposed during the year	2045	4966
4.	No. of cases pending at the end of the year	2831	5135

(II) District & Sessions Division Manipur West -

Sl. No.	Particulars	Civil cases	Criminal Cases
I	II	III	IV
3.	No. of cases disposed during the year	1102	1229
4.	No. of cases pending at the end of the year	626	1229

4.4 In order to make functioning of the Courts of Chief Judicial Magistrate of the Districts of Chandel, Senapati and Tamenglong at their own districts instead of their functioning at Imphal for a number of years, the Court of Chief Judicial Magistrate, Chandel was shifted from Imphal to Chandel District on December 18, 2012 and the Court of Chief Judicial Magistrate, Senapati was shifted to Senapati District on December 19, 2012. Efforts are made to shift the Court of Chief Judicial Magistrate, Tamenglong from Imphal to Tamenglong District during the current year 2013.

FULL-TIME COURTS UNDER SPECIAL LAWS

4.5 FAMILY COURT

The Family Court, Manipur is established with a view to promote conciliation in and securing speedy settlement of dispute relating to family affairs including maintenance of destitute women, children and neglected aged parents under the Family Courts Act, 1984. The jurisdiction of the Family Court Manipur is extended throughout the State of Manipur w.e.f 25.2.2005. Setting up of Family Court for all the nine Districts in phases is under active process.

Statement of performance of Family Court during 2012

Sl. No.	Cases pending at the beginning of the year	Cases instituted during the year	Cases disposed during the year	Cases pending at the end of the year
I	I	II	III	IV
1.	1592	811	2403	1105

4.6 **SPECIAL COURT (ND & PS), MANIPUR:**

4.6.1 In the beginning of the year 2012, the number of charge sheeted Special Trial cases in the Special Court (ND&PS), Manipur pending for disposal is 1765 and the number of instituted cases during the period is 52. The total number of pending cases during the period is 1817. Out of those, 129 cases were disposed of.

4.6.2 Regarding collection of revenue, a sum of Rs. 1,194.60/- (Rupees one thousand one hundred ninety four and sixty paise) only could be collected as Court Fee and a sum of Rs. 89,000/- (Rupees eighty nine thousand) only as fine and forfeiture of surety bonds in default of producing the accused before the court by the surety during the said period.

4.6.3 Three vacant posts viz, one post of L.D.C., one post of Driver and one post of Peon in this Court which were lying vacant for more than 4 years back could be filled up in 2012 by the Court.

CHAPTER – V

OFFICES OF PROSECUTION AND GOVERNMENT ADVOCATE

5.1 **The office of the Public Prosecutor-cum-Government Advocate (High Court), Manipur:**

The Office of the Government Advocate-cum-Public Prosecutor (High Court) deals and supervises litigations before the High Court 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 Government Advocates work upto late evening with their staff for sorting out case records listed in the cause list of the High Court for the next day, which is usually received after 5 p.m. every day.

5.2 The Government Advocate is assisted by twelve State Government Counsels. The Department deals with entrustment of court cases to private lawyers in selected cases when they are required.

Achievement for the year 2012-13

1	Total number of pending cases where the State Govt. is involved in the High Court.	4200
2	Total number of Counter Affidavits filed on behalf of the State Respondents during the year, 2012-13.	772
3	Total number of Writ Appeal/Review/Criminal Revision/Civil Revision/First Original Appeal/Regular First Appeal filed by the State Govt. during the year, 2012-13.	48

4	Total numbers of Misc. Cases filed by the State Government for condonation of delay /staying the operation of the impugned orders and for vacation of the interim orders during the year, 2012-13.	91
5	Total number of disposed cases during the year, 2012-2013.	578
	i) Order passed in favour of the State	159
	ii) Order passed against the State Govt.	107
	iii) Innocuous/ Infructuous Orders.	312

5.3 The office of the Public Prosecutor-cum-Government (District), Manipur:

In the office of the Public Prosecutor (District) there are 1 (one) Public Prosecutor-cum-Government Advocate (District) as Head of Office, 4 (four) Additional Public Prosecutor-cum-Additional Government Advocate (District) and 22 (twenty two) Assistant Public Prosecutor-cum-Additional Government Advocate (District). They are now working in different Courts lying in Imphal area and remote area of all Districts of Manipur. They are also being assisted by police officers and constables.

5.4 The number of cases dealt with by the Directorate of Prosecution during year are given below :

(i)	Number of FIR cases done scrutiny by the Directorate:	279
(ii)	Number of cases disposed :	136
(iii)	Number of cases in which conviction obtained:	93

5.5 STATE ELECTION COMMISSION

The State Election Commission is functioning under the administrative control of the Law Department. This Commission was established in the year 1994 with a State Election Commissioner appointed by the State Government. During the year 2012-13 the Commission successfully conducted the 4th General Panchayat Elections, 2012 in respect of Imphal East, Imphal West, Thoubal and Bishnupur Zilla Parishads and all the Gram Panchayats comprised therein with poll held on 13.9.2012.

5.6 MANIPUR HUMAN RIGHTS COMMISSION

The Manipur Human Rights Commission constituted under the Protection of Human Rights Act, 1993 is a statutory grant-in-aid body.

At present the Chairperson and Members are vacant.

CHAPTER-VI

SPECIAL SCHEMES

6.1 Infrastructure of court buildings and residential quarters of Judicial Officers under Plan Judiciary (CSS):

Law Department is taking up construction of court buildings and quarters of Judicial Officers under this scheme with the financial assistance of fund from the Central Government at the ratio of 50:50. From 2010-2011 the ratio had been changed to 90:10.

The following works were taken up/ started in the year 2012-13

Sl. No.	Name of Work
I	II
1.	Construction of Security Barrack, Prisoners Shed, Quarter of Chowkidar etc. at Chandel Court Complex.
2.	Shifting of the Court of Chief Judicial Magistrate, Chandel from Imphal to Chandel.
3.	Impvt. of Court and Temporary Residential Qtr. of CJM Senapati.
4.	Constn. of Compound wall, Public Toilet, Garage etc. in Thoubal Complex.
5.	Constn. of Compound wall with main gate, Public Toilet, Water Tank, Security Post, Garage for Judicial Officers, Parking shed for litigants and Lawyers and Impvt. of Internal roads for the Court Complex at Tuibong Churachandpur.
6.	Constn. of Garage, Security Barrak, Water Tank etc. at Kangpokpi Court Complex.
7.	Improvement of Conference Room at New Court Building at Uripok.
8.	IEI of Conference Room, Varanda and Toilet at New Court Building at Uripok.

6.2 13th Finance Commission Award.

The 13th Finance Commission had awarded Rs. 11.59 crores for Improvement of Justice Delivery to the State of Manipur consisting of the specified items in the list given below:

Component-wise-status of implementation of Award under 13th Finance Commission

Sl. no.	Component	Status of implementation
1.	Morning/Evening /Shift Courts.	Morning/Evening/Shift Courts not feasible in Manipur. Approval for utilisation of fund towards FTCs and Addl. Courts from the Central Government is awaited.
2.	ADR Centres	Construction of one Main ADR Centre at Lamphelpat, Imphal had been started.
3.	Lok Adalat and Legal Aid	State Legal Service Authority had been implementing the Legal Services Authority Act by holding of Lok Adalats, Legal Awareness programmes, Mediators Training etc.
4.	Maintenance of Heritage Court Building	State Government takes up to maintain the old Court buildings namely Cheirap and Panchai at Uripok, Imphal constructed in the year 1904 by renovation and fresh IEI. Renovation of one building has been completed.
5.	Training of Public Prosecutors	Training programmes were arranged by State Government and also some Public Prosecutors were deputed to New Delhi for training.
6.	Training of Judicial Officers	Training of judicial Officers were held at Delhi Judicial Academy, New Delhi and at Imphal as sponsored by the High Court. Tata Photon+ and Manupatra online Subscription were also provided for Judicial Officers.
7.	Court Managers	Court Managers are yet to be appointed and matter is under Process.
