

HIGH COURT OF MADHYA PRADESH, JABALPUR

ORDER

No. 1124/Confdl./2014
II-2-69/2011(Pt.-5)

Dated 19th September, 2014

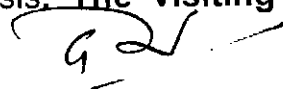
The Madhya Pradesh State Judicial Academy (MPSJA), High Court of Madhya Pradesh, Jabalpur is going to send group of Judges of the Sub-ordinate Judiciary to State of **Delhi** for study of productivity and best practices under the Exchange Programme for Judges in persuasion of the Guidelines of the Government of India for release and utilization of Grant-in-aid recommended by 13th Finance Commission (FC-XIII).

For the aforesaid purpose, following Judges have been nominated as a Member of the Tour Group for visiting **Delhi**, scheduled from **09th to 15th November, 2014:-**

1. Shri Manohar Mamtani, District & Sessions Judge, Dewas.
2. Shri Sushil Kumar Sharma, Special Judge, SC/ST (P.A.) Act, Vidisha.
3. Shri Amnish Kumar Verma, I Additional District & Sessions Judge, Morena.
4. Shri Arvind Kumar Goyal, I Civil Judge Class-I & CJM, Rewa.
5. Shri Sameer Kulshrestha, I Civil Judge Class-I & CJM, Bhind.

Members of the Tour Group shall observe the following instructions:

1. Shri Manohar Mamtani, District & Sessions Judge, Dewas shall be the **Group Leader**.
2. Tour shall be performed as per "**Working Plan for organizing Study Tour of Best Practices to other States**". Particularly, "General Instructions" and "Scope of Study" given therein shall be strictly observed by each visiting Judges.
3. The duration of this Study Tour shall be a maximum period of 7 (seven) days including journey period and one day for sightseeing around the visiting place(s).
4. The Group Leader may design and organize trip to the visiting place(s) as per Working Plan.
5. The Group Leader shall inform to Delhi Judicial Academy about their exact date and time of arrival.
6. Arrangements for stay of visiting Judges may be made by Delhi State Judicial Academy on payment basis. **The visiting Judges may**



contact to the Delhi Judicial Academy, Integrated Complex for Delhi Judicial Academy & National Law University, Sector 14, Dwarka, New Delhi -110078, Contact number: 011-28036502 TeleFax 011-28036684, Fax number:- 011-28036683.

7. This study tour shall be performed only from the budget allocated under the scheme of 13th Finance Commission. The budgetary allocation has been made to the District & Sessions Judges from whose district Judges are nominated.
8. Nominated Judges are also entitled to travel *via air*.
9. Nominated Judges are directed to arrange their Board Diary in such a manner that no case is listed on the dates, on which they are directed to attend this Study Tour. In case, cases have been fixed for the said dates, Summons should not be issued and if Summons are issued, the parties should be informed about the change in dates.
10. **Tour Group Leader shall submit a Tour Report in duplicate, prepared as per Working Plan, within 30 days from the date of completion of tour to the Director, MPSJA, Jabalpur.**
11. After completing the Tour, the visiting Judges are requested to intimate the Registry about their visit for this Study Tour.
12. Copy of the abstract of "Working Plan for organizing Study Tour of Best Practices to other States" is being enclosed, herewith, for observance to perform this Study Tour.

BY ORDER OF HON'BLE THE CHIEF JUSTICE



(VED PRAKASH)
REGISTRAR GENERAL

No. 1125 /Confdl./2014
II-2-69/2011(Pt.-5)

Dated 19th September, 2014

Copy forwarded to:-

1. The Principal Secretary, Government of M.P., Law & Legislative Affairs Department, Vindhyachal Bhawan, Bhopal for information.
2. 1. Shri Manohar Mamtani, District & Sessions Judge, Dewas for information and necessary action. You have been chosen as a **Group Leader** for the aforesaid Study Tour, therefore, you are

directed to conduct the Study Tour as per Instructions and "Working Plan for organizing Study Tour of Best Practices to other States."

2. Shri Sushil Kumar Sharma, Special Judge, SC/ST (P.A.) Act, Vidisha.
3. Shri Amnish Kumar Verma, I Additional District & Sessions Judge, Morena.
4. Shri Arvind Kumar Goyal, I Civil Judge Class-I & CJM, Rewa.
5. Shri Sameer Kulshrestha, I Civil Judge Class-I & CJM, Bhind.

with a direction to perform Study Tour in scheduled dates and at State/Place(s) as per Instructions and "Working Plan for organizing Study Tour of Best Practices to other States."

3. District and Sessions Judge, Dewas / Vidisha / Morena / Rewa / Bhind is informed that an amount of **Rs. 70,000/- per person** has been allocated to your district with a request to disburse the same to the Judges nominated from your district for the aforesaid Study Tour in advance, if requisition is made otherwise the same may be utilize for reimbursement of to and fro fair, lodging, boarding and local conveyance expenses incurred by the visiting Judicial Officer. Directions with regard to utilization of aforesaid funds are being issued separately.

- An additional amount of **Rs. 15,000/-** has been allocated to the District & Sessions Judge, Dewas for reimbursing the expenses incurred in preparation of Tour Report.
- It is further directed that the amount so allocated may be withdrawn (in advance) in such a way that it does not exceed the actual amount required for making payments.
- You are further directed to send confirmation of receiving of this communication immediately, by fax.

4. The Director, Madhya Pradesh State Judicial Academy, Jabalpur with a request to utilize the experience and observations of the visiting Judges nominated for afore said Study Tour in follow up action to be taken under the Scheme of Sending Tour Groups for study of best practices to other States.

Encl.:- Copy of abstract of working plan.


(VED PRAKASH)
REGISTRAR GENERAL

**WORKING PLAN FOR ORGANIZING STUDY TOURS OF
BEST PRACTICES TO OTHER STATES**

2014-2015

**(UNDER THE APPROVED ACTION PLAN AS PER THE GUIDELINES ISSUED BY
THE GOVERNMENT OF INDIA FOR UTILIZATION GRANT-IN-AID
RECOMMENDED BY 13th FINANCE COMMISSION)**

Object

The object of this concept of Study Tour to other States is to find out the best practices adopted in such States of our country, to reduce the arrears of cases and to enhance the quality of work. And to get information about the steps taken by other Hon'ble High Courts in this regard to its effect alongwith study of working rules and regulation of subordinate Courts in such other States.

National Judicial Academy's Framework

The National Judicial Academy has set out a Framework for sharing best practices of States achieving higher rates of productivity. The same is as under;

Exchange Programme for Judges: Visit by Judges to best practice courts in five states (Kerala, Bombay, Delhi, Ahmedabad, Tamil Nadu) to study how judges in these states are achieving higher rates of productivity. Priority to be given for visit states with lowest of productivity.

Foreign visits for Best Judicial Officers: Visits to Singapore court by a small number of selected outstanding judges may be organized as costs are relatively low and time for travel is also less. They will prepare detailed reports with suggestions on how to reform and improve our system based on what they have observed. Such visit will offer an exposure to foreign judicial system. They can also be used as an incentive for better performance of judicial officers particularly in the initial years of the services. (Policies and procedure to be developed by NJA in consultation with State Judicial Academies for consideration and finalization by Government.)

Visiting States/ Place(s)

As per the guidelines issued by the Government of India for release and utilization of Grant-in-Aid recommended by 13th Finance Commission (FC-XIII) and Framework set out by National Judicial Academy (NJA) for sharing best practices of States achieving higher rates of productivity, five States namely Kerala, Bombay (Maharashtra), Delhi, Ahmedabad (Gujarat), and Tamil Nadu) have been identified as best practice Courts. These States are chosen on the basis

of their current productivity, therefore, any other State may be included in best practicing States on the basis of its productivity and /or working module.

For the financial year 2013-2014, States namely Jharkhand, Rajasthan, Karnataka and Punjab & Haryana have been approved by the HLMC for study of best practices. But as per the oral direction of Hon'ble the Chief Justice, Judges were sent to States namely; Bangalore (Karnataka), Coimbatore (Tamil Nadu), Kottayam (Kerala) and Surendranagar (Gujarat).

In this Financial Year 2014-2015, the Judges are being sent to Courts at Bangalore (Karnataka) and Delhi.

Constitution of Tour Groups

For the purpose of visit to other States for study of practices of such States, different teams of Judges of all cadres may be sent to other States. Each Tour Group shall comprise of 5 (five) Judges of different cadres in the following manner;

1. One Principal District Judge incharge of a district with atleast three years of service remaining in the judiciary.
2. One senior Addl. District Judge/ Special Judge with atleast five years of service remaining in the judiciary.
3. One Addl. District Judge with atleast seven years of service remaining in the judiciary.
4. Two Civil Judge of Senior Division with atleast twelve years of service remaining in the judiciary.

Group Leadership

To provide leadership for organizing and conducting Study Tour, one senior most Judge of the Tour Group will be the Group Leader. The Tour Group Leader may designs and organizes trip during tour period and provides pre-travel information, resources, and support, and accompanies the group. While on the tour, the group leader provides the organizational leadership for the group in cooperation with the other member of the group.

Duration of Tour

The duration of this Study Tour shall be maximum of 7 (seven) days including journey period.

General Instructions

- i. Every member of the Group shall abide by the directions/ instructions of the Group Leader while on the tour.
- ii. All the members of a Tour Group shall visit the place(s) collectively.
- iii. Members of the Tour Group should have brief information about the place (s) of visit (State) particularly from following point of views;
 1. Historical back ground
 2. Geographic situation
 3. Political back ground
 4. Cultural and religious information
 5. Economic status
 6. Any other information which may useful for study tour
- iv. All arrangements like to and fro journey, stay, boarding and lodging, local conveyance etc. shall be made by the Tour Group according to programme given by the Registry/MPSJA
- v. No member of the Tour Group shall take hospitality otherwise than officially agreed by visiting State/ Place.
- vi. Every Tour Group may be allowed to go out to see natural/historical places, monuments (if any) at or around the visiting place for one day (preferably last day of visit).
- vii. All expenses for this tour programme shall be borne by the High Court/ State Government as per approved action plan.
- viii. Each tour group shall visit the nominated best practicing State as under;
 1. Visit of District Court (one court of DJ/ADJ level and one court of Civil Judge/ CJM/ CMM level) at district headquarter (at least for two days)
 2. Visit of at least one Court at out station (at least for one day)
 3. Visit of State Judicial Academy of concerned State, if located in the visiting place, (at least for one day)

Scope of study

- i. Observation of Court working, particularly framing of charges, issues and recording of evidence, by sitting in a Court Room of the Court-in-Function.

- ii. Study of pattern of judgments and orders writing.
- iii. Execution Proceedings and method of service of various processes issued in execution of a decree.
- iv. Working method of ministerial staff of the Court.
- v. Various type of registers and statistical charts generally keeping with the Courts.
- vi. Presentation of members of the Bar.
- vii. Various section of the Court; Record Room, Malkhana, Nazarat, Copying, Statistical, Library , office set-up etc.
- viii. Working of Legal Aid schemes and functioning of Lokadalat
- ix. Study about implementation of ADR mechanism and application of "Plea Bargaining".
- x. Methodology (if any) applying in cases relating to petty offences and triable by summary procedure.
- xi. Study of special drive (if any) practiced in the State concerned to clear backlogs.
- xii. Infrastructure available with such Courts, use of Information Technology and Computerization.
- xiii. Methodology of imparting training to the Judicial Officers of all cadres in the concerned State.
- xiv. Join at least one interaction session with the trainees/ judges of the concerned State. (if available)
- xv. Collection of material such as; Local Rules regarding conduction of civil and criminal cases and business of the Civil and Criminal Courts, Instructions and Circulars issued by the concerned High Court regarding conduction of cases and business of the subordinate Courts, recent data of pendency.
- xvi. Every member of the tour group shall maintain daily tour diary and take notes of what he/she observed while visiting the Court/ Academy.

Preparation and submission of Tour Report

On completion of tour, the tour group shall prepare and submit a detailed tour report alongwith the relevant material collected from the places of

visit. The tour report shall be prepared by or under the guidance and supervision of the group leader.

It shall be submitted to MPSJA in duplicate within 30 days from the date of completion of tour.

While preparing reports, under mentioned guidelines to be followed:

- a. Title page including the name of the group members, the period in which the study tour was made and place (s) visited.
- b. Section titles, such as an introduction, the focus of the study, significant learning and conclusion covering subjects mentioned under the head of 'Scope of Study'.
- c. Details of assistance received during the tour from the visiting State.
- d. Appendices may be included as per requirement with a view to avoid details in the report.
- e. Acknowledgment of gratitude may be part of the report.
- f. Photographs (if any) must be captioned.

[**Note:** It is to be kept in mind that the tour group comprises of members from different districts; therefore, they may not get a chance to reassemble at one place to prepare the report, once the tour is over. They may also not get a chance to congregate at one place to finalise the learning strategy to be adopted during the course of the tour; therefore, it is advisable that each member of the group goes through the working plan, minutely before embarking upon the same. The methodology of observation of working and learning strategies should preferably be chalked out by the members of the group during the journey to place of the visit. The observations made during the day and the best practices observed should be reduced to writing either at the end of the working day or at night in the place of stay after dinner in the presence of the group leader and the members thereof. In this manner, the substratum of tour report shall be ready by the time the tour is over.

It should be taken note of that no permission shall be granted to the members of the tour group to assemble at one place for finalizing the report after the tour is over.]