



GOVERNMENT OF KARNATAKA

DEPARTMENT OF
LAW AND PARLIAMENTARY AFFAIRS

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ANNUAL REPORT

1994-95

ANNUAL REPORT
OF THE
DEPARTMENT OF LAW AND PARLIAMENTARY AFFAIRS
FOR THE YEAR 1994-95

INTRODUCTION:

The Department of Law and Parliamentary Affairs in the Karnataka Government Secretariat has Seven Wings, namely:-

1. Administration
2. Litigation
3. Drafting
4. Drafting (Kannada)
5. Codification and Publication
6. Opinion
7. Cauvery Water Dispute Cell.

The Administration Wing which is incharge of the Administrative matters relating to Department of Law and Parliamentary Affairs also deals with service and Administrative matters relating to the following Departments which are under its Administrative control:

1. Office of Advocate General
2. Subordinate Judiciary

3. Directorate of Translations
4. Directorate of Prosecutions and Government Litigations, and
5. Karnataka Legal Aid Board

Legal Cell at Karnataka Bhavan is strengthened by appointing an Additional Secretary and Legal Advisor to look after litigation in the Supreme Court.

The Cadre Strength of the Officers functioning in the Department of Law and Parliamentary Affairs is as follows:-

1. Draftsman and Secretary to Government
2. Additional Secretary (Opinion)
3. Three Additional Draftsman and Ex-officio Additional Secretaries
4. Three Additional Secretaries (Litigation Wing)
5. Deputy Secretary (Administration)
6. Five Additional Solicitors and Ex-officio Deputy Secretaries
7. Solicitor & Ex-Officio Deputy Secretary to Government
8. Three Assistant Draftsman and Ex-Officio under Secretaries.

9. One Assistant Draftsman and Ex-officio Under Secretary.
10. Four Assistant Solicitor and Ex-officio Under Secretaries.
11. Three Under Secretaries (Opinion)
12. Additional Director and Ex-Officio Deputy Secretary (Kannada Drafting)
13. Two Assistant Directors (Kannada Drafting)
14. One Research Officer
15. Two Under Secretaries (Administration)
16. Seventeen Section Officers.

Additional Law Secretary (Opinion), Additional Draftsman and Ex-Officio Additional Secretary, Deputy Secretary (Administration), Assistant Draftsman and Ex-Officio Deputy / Under Secretaries, Assistant Solicitor and Ex-officio Under Secretary, Under Secretary (Administration-I) Under Secretary (Administration-II) and all seventeen Section Officers in the Department of Law and Parliamentary Affairs belong to the Karnataka Government Secretariat service and other Officers belong to the Karnataka Judicial Service: Directorate of Translations.

The Litigation Wing of the Department looks after the litigation work of the State Government in Courts within the state and outside the state including the supreme court. The scrutiny and sanction of the remuneration bills of Law officers in the state, is also looked into by the Litigation Wing.

Drafting Wing is incharge of Drafting of primary and subordinate legislation and scrutiny and statutory rules, Notifications etc. Kannada Drafting Wing looks after the drafting of bills ordinances etc in Kannada and translation of the Bills and Ordinances in Kannada.

The Codification and Publication Wing of the Department is incharge of reprinting of State enactments and also republishing the Central Enactments as are useful to the general public in the State. Besides, it also publishes Annual Volume of the State laws passed in a year and prepare the Code of Volume of Laws in force in the State.

The Opinion Wing advises all the secretaries-at Departments of the Government

on legal and Constitutional matters.

ADMINISTRATION WING:

The main functions of the Administration Wing of the Department comprises of:

1. Appointment of Law officers for conduct of litigation in the State,
2. Appointment of Notaries,
3. Appointment of Official Receivers,
4. Appointment of Administrator General and official Trustees
5. Matters relating to the following Departments:-
 - i) Office of the Advocate-General
 - ii) Subordinate Judiciary
 - iii) Department of Translation and
 - iv) Department of Prosecutions and Government Litigation
6. Translations of all State Laws in force in the State into Kannada ,the official Language of the courts in the State and publication of Kannada authorised translations under section 5 A of the Karnataka Official Language Act, 1963,
7. Matters relating to the parliamentary Affairs; and
8. Grants to Bar Association in the State.

OFFICE OF THE ADVOCATE GENERAL:

The Law Officers attached to the High Court and the Karnataka Administrative Tribunal are under the Administrative control of the Advocate General. Normally, the Law officers are initially appointed for a period of three years and if their performance is found satisfactory, then their appointment will be continued for a maximum period of six years.

On the Criminal side, one or more public prosecutors are appointed having regard to the quantum of work in the District. This appointment is made under section 24 of the code of Criminal procedure, 1973. Some public Prosecutors have also been appointed from the cadre of prosecutors. Prosecutions in the Magistrate courts are conducted by the Assistant Public Prosecutors and in the Chief Judicial Magistrate Courts by the Senior Assistant Public Prosecutors who are regular Government servants belonging to the Department of prosecutions and Government Litigations.

On the civil side, at the District Headquarters, the District Government Pleaders are appointed and where the work load is

heavy, Additional Government Pleaders are also appointed.

In Taluk places, where there are combined Courts of Munsiff and Judicial Magistrate First Class, the civil and criminal Litigations are being looked into by the Assistant Public Prosecutors. They are designated as Assistant Public Prosecutors-cum-Assistant Government Pleaders. Government have also entrusted certain supervisory functions in this regard to the Department of Prosecutions and Government Litigations.

The Advocates-on-Record are appointed to look after the Government Litigation in the Supreme Court. During the current year, there are four Advocate-on Record to look after the State Government Litigation in Supreme Court.

APPOINTMENT OF NOTARIES:

The Administration Wing is also incharge of making appointment and renewal of Certificate of Practice of Notaries out of the State Government Quota in accordance with Notaries Act, 1952 and Notaries Rules, 1956.

The quota of Notaries to be appointed by the State was fixed at 70 during 1930. Due to increase in civil litigation in different areas, rapid industrialisation, commercial development, increase in the number of educational institutions, etc., there has been consistant demand for appointment of more number of Notaries in places where there are no Notaries or for increasing their number. Hence, the existing quota of 70 Notaries to be appointed by the State was increased to 200 recently. and very recently increased to 350 from 200. There were 164 Notaries existing till now and 33 more Notaries were appointed during the period under report bringing to a total of 197 as on 31-12-1994. Besides, there are Notaries appointed by the Central Government practising as Central Government Notaries in the State.

APPOINTMENT OF OFFICIAL RECEIVER:

The Official Receivers are appointed by this Department under the Insolvency Act. Normally, one official Receiver is appointed for a District for a period of three years and his services are continued for another

term if his work is found to be satisfactory. The Appointment is made in the same manner as is done in the case of Government Pleaders.

APPOINTMENT OF ADMINISTRATOR GENERAL AND
OFFICIAL TRUSTEE:

The appointment of Administrator General and Official Trustee is made by Government on the recommendations of the Advocate General and he will be under the administrative control of this Department.

GRANTS TO BAR ASSOCIATIONS IN THE STATE:

Grants are sanctioned to the Bar Associations in the State every year as per the Karnataka Grant-in-aid to Bar Associations Rules, 1983, subject to availability of funds.

As against a budget provision of Rs.11.60 lakhs made for the year 1994-95 towards sanction of Grant-in-Aid to various Bar Associations, a total sum of Rs.3,67,500/- has already been sanctioned as on 31.12.1994.

CONSTITUTION OF KANNADA LAW LEXICON COMMITTEE:

Government have constituted a Committee for bringing out Kannada Law Lexicon, comprising representatives from various fields including Judiciary, Legal profession and Kannada and Law literature.

2. SUBORDINATE JUDICIARY:

The subordinate Judiciary consists of the following classes of Courts:-

- i) City Civil Courts for the Metropolitan City of Bangalore;
- ii) District Courts;
- iii) Sessions Courts;
- iv) Chief Metropolitan Magistrates' Courts and Metropolitan Magistrates' Courts;
- v) Civil Judges' and Chief Judicial Magistrates Courts;
- vi) Small Causes Courts; and
- vii) Munsiff's Courts and Courts of Judicial Magistrate First Class.

CIVIL CASES:

The pendency of Civil cases in the entire subordinate Courts in the State as on 31-12-1994 was 6,08,909 as against 5,74,197 cases pending

as on 1.1.1994. During the period from 1.1.94 to 31.12.1994 2,74,026 cases were ~~added~~ and 2,39,314 cases have been disposed off.

CRIMINAL CASES:

The pendency of criminal cases in the entire subordinate courts as on 1.12.1994 was 5,66,974 as against 5,16,996 Criminal cases pending as on 1.1.94. During the period from 1.1.1994 to 31.12.1994, 4,81,615 cases have been filed and 4,31,637 cases have been disposed of.

2. The total pendency of both Civil and criminal cases as on 31.12.94 was 11,75,883 as against 10,91,193 cases pending as on 1.1.94. During the period under report, 7,55,641 (both Civil and Criminal cases) have been filed and 6,70,951 cases have been disposed of.

5. The sanctioned strength of Judicial Officers (including OOD and Leave Reserve posts) as on 31.12.1994 was as follows:-

1. District Judges	..	114
2. Civil Judges	..	140
3. Munsiff and JMFCs	..	279

Out of which 41 posts of District Judges, 23 posts of Civil Judges and 11 posts of Munsiffs are OOD posts. 2 posts each of District Judges and Civil Judges and 14 posts of Munsiffs are Leave Reserve Posts.

As on 31.12.1994, 17 posts of District Judges, 3 posts of Civil Judges and 51 posts of Munsiffs are vacant.

During 1994-95 (31.1.1995), 48 Munsiffs were recruited and all of them have undergone Judicial Officers training.

The following Courts were established during the period from 1-1-94 to 31.12.94.

Sl. No.	Courts	Date of Establishment
1.	Munsiff and JMFC's Court at Jagalur, Chitradurga Dist.	22-1-94
2.	Munsiff and JMFC's Court at Challakere, Chitradurga Dist.	15-1-94
3.	Munsiff and JMFC's Court at Nippani, Belgaum Dist.	26-2-94
4.	Munsiff and JMFC's Court at Shiggaon, Dharwad Dist.	19.3.94
5.	Addl. Munsiff and JMFC's Court at Athani, Belgaum Dist.	11-3-94

Besides, the following 17 Courts have been established at Bijapur, Chikkamagalur, Coorg and Mandya Districts under the Pilot Project Scheme:-

: 14 :

1. Addl. District and Sessions Court,
Chikkamagalur.
2. " " Kodagu.
3. Addl. Civil Judge's Court, Bijapur.
4. " " ,Sriranga-
Patnam.
5. Addl.Munsiff Court, Mandya (2 Courts)
6. Addl. Munsiff Court, Malavalli.
7. " " Nagamangala
8. " " Chikmagalur
9. " " Kadur
10. " " Moodigere
11. " " Koppa
12. " " Bijapur
13. " " Indi
14. " " Basavanabagevadi
15. " " Muddebihal
16. " " Jamakhandi

The expenditure incurred during the
period from 1-1-94 to 31-12-94 by the
subordinate courts is Rs.29,83,44,279-00 .

3. DIRECTORATE OF TRANSLATIONS:

The Directorate of Translations deals with the following functions:

- 1) The Translation in to Kannada of State Acts and Rules made thereunder, under Section 5A of the Karnataka Official Language Act, 1963.
- 2) Translation into Kannada of Central Acts under clause (e) of Sec.2 of the Authoritative Texts (Central Laws) Act, 1973.
- 3) Translation into Kannada of Notifications, Official Memorandum, Statutory Orders, Committee Reports, Enquiry Commission Reports, Annual Reports, Annual Administration Reports in view of the Official Language of the State and other miscellaneous matters like petitions, agreements etc., from Kannada into English and vice-versa referred to by the Departments of Secretariat and Heads of Departments and translation of petitions of linguistic minorities into Kannada or into English referred to by the Departments of Secretariat and Heads of Departments; and

- 4) Translation from Kannada into English of certain cases pertaining to Special Leave Petitions filed before the Supreme Court is also undertaken in the Directorate.

As per Sec.5A of the Karnataka Official Language (Amendment) Act, 1974 and as per clause (a) of Section 2 of the Authoritative Texts (Central Laws) Act, 1973, the Directorate of Translations is undertaking the work of translation into Kannada of Central Acts, State Acts which on publication in the Official Gazette under the authority of the President of India or the Governor of the State, as the case may be, are deemed to be Authoritative Texts thereof in the Kannada Language and this Directorate undertakes the translation of any Orders, Rules and Regulations and bye-laws issued by the State Government or any other authority

or Officer of the State Government under the Constitution or under any Central Act or any State Act or any other Law in force in the State.

Kannada version of the Administrative Literatures required for day-to-day administration by all departments of Government is being supplied by the Directorate on top-priority basis.

CENTRAL ACTS:

During the period, 4 Central Acts have been translated. Important among them are:

- 1) The Merchantile Ship Act, 1951.
- 2) The State Finance Act, 1958.

Translation of Central Acts contained in priority list Nos. 1, 2 and 3 sent by the Government of India is being done on top-priority basis.

STATE ACTS:

During the current year, 18 State Acts, 2 State Bills, 3 State Ordinances and 26 Rules have been translated.

Important among them are; Karnataka Civil Services (Performance Report) Rules, 1993.

Annual Volumes of State Act, i.e., 1965, 1969, 1978, 1981 and 1982 volumes have been translated under the time bound programme. Besides, translation of State Acts contained in the priority list No.1 and 2 sent by the Government is being done on top-priority basis.

During the period, 3141 pages of administrative literature have been translated from English into Kannada. The Joint Committee Report on the Karnataka State Road Transport Corporation and the Compendium of Orders issued by the Election Commission of India, are important among them.

The translation of certain cases pertaining to the Special Leave Petitions filed before the Supreme Court from Kannada into English is also undertaken by the Department. During the period about 260 pages of material have been translated from Kannada into English.

The Hindi and other Minority languages Section of the Department has translated matters running to 1881 pages.

During the year, the Karnataka Official Language (Leg.) Commission has scrutinised the Kannada translation of 11 State Act and 5 Central Acts. The Karnataka Official Language (Legislative) Commission is also engaged in scrutinising the translation of the Indian Constitution (Amendment) Acts. During the year under Report 20 Central Acts and 10 State Acts have been published in book form as the authorised Texts in Kannada.

Translation of Central and State Acts will be taken up according to the priority lists and time bound programme, translation of the Annual Volumes of State Acts under the time bound programme and scrutiny of Kannada translation of Central Acts selected for republication will be given a new impetus during the ensuing years.

ANNUAL EXPENDITURE OF THE DEPARTMENT:

Annual Budget for the year 1994-95	- Rs.78,21,000/-
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Anticipated Annual Ex- penditure for the year 1994-95	- Rs.52,02,126/-
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4. Dept. of Prosecution and Government Litigation:

The main function of the Dept. of Prosecution and Govt. Litigation are as follows:-

- 1) Arranging for conduct of cases on behalf of state Govt. in all session courts of all the Districts of the state as well as Munsiff and Munsiff Magistrate courts at Taluk Level.
- 2) To advise the officers of all Dept.s including State Police Dept. in the investigation of criminal cases.
- 3) To scrutinise all the judgement and orders issued by all the courts of the State Govt. (Excluding the High Court) and to recommend in deserving cases to State Govt. regarding preferring appeals or revisions petitions in the sessions and High courts.
- 4) To render advise to all the Depts. of the State Govt. in matters relating to withdraw the criminal cases from the courts and to withdraw the criminal cases from the courts as per the order of the Hon'ble Government.

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The particulars of Criminal cases registered as well as disposed ^{off} during the year in various courts of the state are given below:

1. No. of criminal cases disposed off
from 1-4-94 to 31-12-94 1,75,317
2. Total No. of criminal cases ended
in conviction from 01-04-94 to
31-12-94 1,20,982
3. Total No. of criminal cases review
ed from 01-04-94 to 31-12-94 in
this Dept. (i.e. the criminal cases
where acquittal and discharges were
effected) 54,335
4. Total No. of criminal cases recommended
for preferring appeal 790
5. Total No. of criminal cases recommend-
ed for revision 200
6. Total No. of cases which were not recom-
ended either for appeal or revision 53,345
7. Total No. of cases where legal advice
was rendered regarding prosecution to
the investigating officers of the
Police Dept. and the officers of other
Depts. 285

During the year under Report 1,75,317 criminal cases were disposed off. out of them 1,20,982 criminal cases ended in conviction.

As in the previous years, the Dept. has made suitable arrangement for conducting civil litigation on behalf of the Govt. in the Munsiff courts as well as Munsiff Magistrate courts of the State. In this regard it may be stated that the concerned Legal officers have performed their duties quite satisfactorily. Regarding the civil litigations of the Govt. the Dept. will undertake the following steps:-

- 1) To consider and approve the written statements to be filed on behalf of the Govt. in such courts where the Govt. has been made a party.
- 2) To authorize the concerned officers of the Dept. to consider such cases and to affix their signatures in defence of the same on behalf of the Govt.
- 3) To review the Judgements and orders of Munsiff courts and to decide whether they are eligible for preferring appeals or revision in the concerned courts. If this Dept. decides to prefer appeal or revision, in such cases all the records pertaining to the cases will be forwarded to the concerned Govt. pleader/Additional Govt. Pleader and issue directions to them to take suitable action. Besides, all the documents will be sent to Govt. to take final decisions in those cases which were not recommended for preferring appeal or revision.

- 4) Cases have been instituted in the Civil Court on behalf of the Government and particulars of the civil cases decided in those Courts are given below:

The particulars regarding the judgements and orders in civil suits issued by the Munsiffs Courts during the period 1-4-1994 to 31-12-1994 are as follows:-

1) Total No. of cases where the judgements and orders pertaining to the civil cases is scrutinised from 1-4-1994 to 31-12-1994	673
2) Total No. of cases recommended for appeal	71
3) Total No. of cases recommended for revision	04
4) Total No. of cases not recommended either for appeal or revision	38
5) Cases dismissed (cases which were found that no action is necessary)	560

During the period under report, total number of civil cases disposed were 673 and number of cases decided in favour of the Government were 560.

During the period under report, eight Group 'A' Officers were deputed for training in various Training Institutes. Further, one Group 'B' Officer was deputed for training in District Training Centre, Bangalore. In addition to this, 17 persons belonging to Group-C were given training in various Training Centres for

improving knowledge in their day to day official work.

In this Department Kannada is being used as official Language at all levels. Regarding effective implementation of Dr. Sarojini Mahishi Report and use of Kannada as official Language, State, Divisional and District Level committees have been constituted. The said Committees are conducting regular inspections and submitting inspection report to the Government as per the standing circulars of the Government. This department has also sent a circular to all the officers of this Department regarding the effective use of Kannada as the Administrative Language at all levels.

The Govt. have established special courts in Kolar, Raichur, Bijapur and Gulbarga districts to try the cases of atrocities on scheduled castes and Scheduled Tribe. In the said courts cases under prevention of Atrocities on Scheduled castes and Scheduled Tribes Act, 1989 are being decided. The Government have appointed special public prosecutors for conducting cases in the said special courts. As all the Sessions Courts in the remaining district centres excluding the above said districts have been specified as

special courts, the Government have ordered that the Public Prosecutors (excluding the Additional Courts) attached to the sessions courts, should deal with the cases under the above said Act.

The Assistant Director of Prosecutions and the Assistant Public Prosecutor-cum-Assistant Government Pleaders are also discharging the duties as secretary at districts and Taluk levels Legal Aid Boards respectively, in addition to their regular duties. The work discharged by them includes conducting Legal Aid camps under legal literacy camps in the Rural areas and conducting regular Lok Adalat Camps to settle the dispute and cases pending before courts. Further it is proved that they have successfully performed the said Legal Aid programmes.

Further on account of effective supervision by the Head of the Department and other Divisional Level officers and an account of the inspections conducted, the efficiency of the prosecutors in conducting Civil and Criminal Cases has also been considerably increased.

Budget(Non-Plan)

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| 1. Budget allotted by the Government for the year 1994-95 | 4,87,99000.00 |
| 2. Amount expended during from 1.4.94 to 31.12.94 | 3,68,57,358.00 |

§. KARNATAKA LEGAL AID BOARD

Karnataka Legal Aid Board is constituted under Karnataka Legal Aid Board Act, 1981. The main aims and objects of the Board are rendering free legal Aid in cases before the courts and tribunals, rendering free legal advice spreading legal literacy and awareness, peaceful settlement of disputes by way of conciliation outside the courts.

The Board has constituted 151 legal aid committees in the state. In all the District Head quarters there are District Legal Aid committees and at some of the Taluk Head Quarters where there are courts there are Taluk Legal Aid committees.

Action has been taken to constitute Legal Aid committees in the Taluk places. where the courts were newly constituted.

Any person whose annual income is less than Rs.8,000/- is eligible for free legal aid. Persons belonging to SC/ST and Service men and Ex-Service men and their families are entitled for free legal aid irrespective of their income. Free legal advice is provided for all persons claiming compensation in cases of motor vehicle accidents.

The progress achieved by the Board from 1.4.1994 to 31.12.1994 is as follows:

LEGAL AID:

Free legal aid has been extended to 897 persons before the Courts and Tribunals and 872 persons were given free legal advice.

LEGAL AID CAMPS:

For effective implementation of legal aid programme in the State and to create legal awareness, legal aid camps, Seminars were conducted in rural areas. Advocates have also visited the rural places and extended free legal advice and made them aware of the important legal aspects.

In this period, 62 legal aid camps were conducted in the State and 15499 persons were benefitted.

LEGAL LITERACY PROGRAMMES:

To create Legal Awareness, The Legal Aid Committees have, besides arranging seminars on Legal Knowledge and also conducted Legal literacy Camps with the Co-ordination of students of Law Colleges. Under the direction and guidance of the Board, the students of Visveswarapuram Law College conducted a Lok Adalat and a seminar on Consumer Rights awareness programmes. The National Law School of India University with the Financial assistance of the Board have very successfully conducted Legal Aid Clinics, Legal literacy Schemes in their colleges and in other rural areas. Through Legal Literacy Programme 24 Lecture training programmes were arranged and 2067 persons were benefitted.

Eight programmes were given through AIR under Legal Aid Programme 6 lectures each were delivered to the students of 7 Women Colleges of B'lore, under Legal Literacy Programme on the subject "Women and Law"

JANATHA COURT (LOK ADALATH):

During this period totally 157 Lak-Adalath Camps were conducted. Totally 5212 Civil, Criminal cases have ended in compromise in those camps and 2624 Motor Vehicle Accident cases were settled and a total compensation of Rs.4,29,01,574-00 was awarded.

Students of Law Colleges are also participating in these Lok Adalaths.

During this period 11 Bank suits involving a loan amount of Rs.1,63,484-00 were settled through these Lok Adalaths.

ALLOCATION OF FUNDS;

The amount allocated to the Board in the 1994-95 Budget and expenditure are as follows:-

Sl. No.	Year	Allocation (in lakh Rupees)	Expenditure (Net)
1	1994-95	58.28	19,59,969.55 (Upto October 94)

LITIGATION WING:

The main functions of the Litigation Wings are as follows:

- a) Conduct of Litigation in which Government is a party in Courts in and outside the State, including the Supreme Court;
- b) Furnishing opinion in cases relating to withdrawal of prosecutions and in cases pending before courts;
- c) Drafting and scrutiny of contracts, agreements and other instruments to be executed by or on behalf of the Governor of the State;
- d) Scrutiny of notices of suits; and

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- e) Sanction of remuneration to Advocate General and Other Law Officers including Special Counsels for conducting cases in courts on behalf of the State Government.

Government is the biggest litigant in the State. It has to arrange for conduct of prosecution in criminal cases before the Magistrates' Courts and Sessions Courts. There is considerable civil litigation not only in the Supreme Court, High Court and lower courts in the State but also in Courts outside the State. The conduct of litigation is governed by the Karnataka Conduct of Government Litigation Rules, 1985. This Department supervises litigation concerning the State Government in all these Courts on behalf of Departments of the Secretariat. There are seven sections dealing with Litigation Work. Four section in charge of Civil and Criminal Litigation in courts in and outside the State.

Two sections are incharge of all Writ Litigations in the High Court, and K.A.T. and one Section is incharge of Litigation in the Supreme Court. Three Additional Secretaries are incharge of litigation matters and they are assisted by five Additional Solicitors and four Assistant Solicitors in the year under report.

All notices either of a suit or a writ petition issued to the Chief Secretary to Government are taken services by the Solicitor and thereafter, the Law Officers are authorised to appear before the Courts concerned. On receipt of the remarks of the concerned Department on the allegation made in the plaint or in the writ petition concerned, the Law Officers prepare a draft written statement or counter affidavit as the case may be, which will be examined from legal aspect and wherever necessary they are revised

or redrafted by the Officers of the Department. A close watch is kept on the progress of litigation at every stage. Appropriate instructions as deemed necessary are given from time to time to the Law Officers appearing in Courts on behalf of the Government. In important cases, Officers of the Department attend the Courts to watch the proceedings.

After final disposal of the cases, the Law Officers concerned have to furnish to Law Department the certified copies of the Judgements/Decrees along with their opinion in the matter of filing or otherwise of appeals. A decision is taken by this Department in regard to the filing/non-filing of an appeal or application for review of the judgements thereafter.

Heads of Departments, Deputy Commissioners and other Officers who receive notices of suits under section 80 CPC., obtain para-wise

remarks of the concerned Officers and forward them to the concerned Administrative Departments of the Secretariat. The Administrative Departments examine and forward the same to this Department which furnishes opinion whether or not to contest the claim.

All the judgements in criminal cases resulting in discharge or acquittal are reviewed by the Director of Prosecutions and Government Litigation and recommendations, are made to Government in regard to filing or non-filing of appeals. Necessary proposals and the connected records are forwarded to this Department. The recommendations of the Director will be considered by this Department and decisions in regard to filing or non-filing of appeals are taken after review of the Judgements.

The remuneration bills of the counsels are sanctioned in this Department having regard to the rules in force.

Out of the 12,194 Writ Petitions received during the year, 4,817 petitions have been disposed off. 7,377 petitions are pending disposal. Besides, appeals have been preferred in 998 cases and 243 cases of Contempt of Court have been dealt with.

Action has been taken regarding 4824 Civil cases in the year under review Appeals were preferred in 948 cases and *Civil* 1536 cases were disposed off; and 3288 cases are pending disposal. Similarly action has been taken with regard to 7032 Criminal Cases and in 1043 cases appeals were preferred, 2520 cases were disposed off. 4512 cases are pending disposal.

DRAFTING WING:

The functions of the Drafting Wing are:

- 1) Scrutiny of all Legislative proposals from legal, Constitutional and drafting angle;
- 2) Drafting of Government Bills and amendments to Bills introduced in the Houses of the State Legislature,

Scrutiny of non-official amendments tabled relating to the Bills giving advice and assistance to the Administrative Departments on non-official amendments;

- 3) Rendering legal assistance to the Houses of Legislature and Joint-Select-Committee at all stages of Bills before them, including revising of Bills;
- 4) Drafting of Ordinances;
- 5) Revision of Orders and Notifications;
- 6) Scrutiny of Statutory Rules, Orders and Notifications including Orders under the Constitution;
- 7) Execution of Agreements or contracts on behalf of the Governor under Article 299(1) of the Constitution.

During the period between 1-4-1994 and 31-12-1994, 26 Acts were enacted. 06 Ordinances were promulgated, 1328 Statutory Rules, Orders and Notifications were Scrutinised.

CODIFICATION SECTION:

The Codification Wing of the Department is entrusted with the responsibilities of preparing yearly Digest of Opinions furnished by Law Department in the files of various departments of Secretariat and preparation of Master Copies of State Acts with up-to-date amendments.

The final proofs of Digest of Opinions for the year 1982, 1983, 1984 and 1985 are sent to Government Press for printing of books. The preparation of compilation for the year 1986 Annual Digest is under process.

All the Acts enacted in the Government of Mysore from 1850 to 1956 prior to the Reorganisation of States have been published in 4 Code Volumes. During 1956 when the

Karnataka State came into existence, the Code Volumes of the Acts for the year 1957-1960 revised as on 1-11-1969 have been published.

Presently the work with regard to Code Volume of the Acts enacted during 1961 is completed and is ready to be sent to the Press and the Work of Code Volume of 1962 is under progress.

PUBLICATION WING:

The functions of the Publication Wing of the Law and Parliamentary Affairs Department differ from the functions of the other Sections of the Secretariat. The main function of this section is to print in Book Form the Annual Volume of the State Acts passed by the State Legislature, up-to-date copies of the ordinances issued by the Governor and the Central Acts, Ordinances, Regulations, Rules issued in the Official Gazette by the

Government of India. This Section also deals with the republication of the Notifications pertaining to our State Government. The State Acts, in incorporating the up-to-date amendments as well as the rules made under them and the Notifications have been published in Book-Form for the use of the various departments of the State and also for the sale to the general public. This year 38 Central Acts have been reprinted.

During the year under review the following State Acts have been reprinted:

The Karnataka Police Act, 1963.

The following Annual Issues and the Acts are under printing stage:

1. The Annual Volume of the Acts and Ordinances, 1989.
2. The Annual Volume of the Acts and Ordinances, 1990.

3. The Annual Volume of the Acts and Ordinances, 1991.
4. The Annual Volume of the Acts and Ordinances, 1992.
5. The Annual Volume of the Acts and Ordinances, 1993.
6. The Karnataka Money Lenders' Act, 1961 and Rules, 1965.
7. The Karnataka Civil Courts Act, 1964.
8. The Karnataka Silk Worm Seed and Cocoon Regulation of Production Supply and Distribution Act, 1959.
9. The Karnataka Inam Abolition Act, 1955.
10. The Volume of the Acts and Ordinances of 1994 is ready for printing.

OPINION WING:

The functions of the Opinion Wing of the Department are:

- 1) Advising different Departments of the Karnataka Government Secretariat on legal matters including interpretation of the provisions of the Constitutions, various statutes, rules, orders;

- 2) Drafting and Scrutiny of Orders, notices, rules (other than subordinate legislation) to be issued in accordance with the legal opinion by the Department;
- 3) Drafting of instruments relating to immovable properties, bonds and other agreements, contracts or instruments to be executed either by or in favour of Government.

During the year 01-04-1994 to 31-12-1994 the Wing has received 663 files and rendered legal opinion in 722 cases.

Statement showing various kinds of cases filed, disposed off and pending in the subordinate courts of the State during the period from 1.1.1994 to 31.12.1994.

Statement showing the number of different kinds of cases instituted, disposed of and pending in the Subordinate Courts in the State during the period from 1.1.1994 to 31.12.1994.

C I V I L C A S E S

I. DISTRICT & SESSIONS COURTS (INCLUDING CITY CIVIL COURT, BANGALORE)

Sl. No:	Category of Cases	Pending as on 1.1.94	Institution from 1.1.94 to 31.12.94	Disposal from 1.1.94 to 31.12.94	Pending as on 31.12.94
1	2	3	4	5	6
1.	Original Suits	35,371	11,301	9,023	37,649
2.	Execution Cases	7,148	4,457	3,910	7,695
3.	Miscellaneous (P & Sc., G & WC, F.D.P. etc.)	13,939	8,177	5,395	16,721

Contd.. 2

1	2	3	4	5	6
4. M.V.C. Cases		81,523	30,523	20,598	91,448
5. Insolvency Cases		258	56	77	237
6. Regular Appeals & Execution Appeals		3,888	831	790	3,929
7. Miscellaneous Appeals		6,012	2,067	2,580	5,499
8. Rent Control Revision Petitions		4,575	1,390	1,586	4,379
9. Land Acquisition Cases		1,887	257	350	1,794
10. Land Acquisition Appeals		4,111	493	1,097	3,507
TOTAL	..	1,58,712	59,552	45,406	1,72,858

Contd..2

II. CIVIL JUDGE & C.J.M. AND CIVIL JUDGE & J.M.F.C., COURTS.

Sl. No.	Category of Cases	Pending as on 1.1.94	Institution from 1.1.94 to 31.12.94	Disposal from 1.1.94 to 31.12.94	Pending as on 31.12.94
1	2	3	4	5	6
1.	Original Suits	15,819	7,950	5,363	18,406
2.	Small Cause Suits	30,068	39,561	24,709	44,920
3.	Execution Cases	33,013	30,983	18,622	45,374
4.	Land Acquisition Cases	33,067	13,843	12,139	34,771
5.	Miscellaneous Cases	11,834	8,142	8,826	11,150

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Contd..

1	2	3	4	5	6
6. Regular Appeals and Execution Appeals		14,844	4,575	4,330	15,089
7. Miscellaneous Appeals		2,892	2,126	2,244	2,774
8. Final Decree		1,189	607	612	1,184
9. H.R.C. cases		7,809	3,674	4,153	7,330
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T O T A L		1,50,535	1,11,461	80,998	1,80,998

Contd...

III. MUNS IF AND J.M.F.C. COURTS

Sl. No.	Category of Cases	Pending as on 1.1.94	Institution from 1.1.94 to 31.12.94	Disposal from 1.1.94 to 31.12.94	Pending as on 31.12.94
1	2	3	4	5	6
1.	Original Suits	1,06,867	46,000	48,497	1,94,370
2.	Small Cause Suits	3,009	4,463	3,096	4,376
3.	Execution Cases	42,445	14,225	11,428	45,242
4.	H.R.C. Cases	3,254	864	1,113	3,005
5.	Miscellaneous Cases	4,449	5,251	4,604	5,096

Contd..

1	2	3	4	5	6
6. Final Decree Proceedings		2,907	1,432	1,564	2,775
7. K.A.D.R. Cases		14,873	-	-	14,873
TOTAL		1,77,804	72,235	70,302	1,79,737

IV . MUNSIFF'S COURTS (CIVIL)

S1. Category of Cases No.	Pending as on 1.1.94	Institution from 1.1.94 to 31.12.94	Disposal from 1.1.94 to 31.12.94	Pending as on 31.12.94
1	2	3	4	5
1. Original Suits	50,614	13,962	23,820	40,560
2. Small Cause Suits	2,020	2,422	2,074	2,368
3. Execution Cases	21,796	7,317	9,241	19,872
4. H.R.C.Cases	7,906	2,073	2,737	7,242
5. Misc. Cases	3,352	4,423	3,884	3,891
6. Final Decree	1,458	581	852	1,187
7. K.A.D.R. Cases	-	-	-	-
T O T A L :	87,146	30,778	42,608	75,316

CRIMINAL CASES

I. DISTRICT & SESSIONS COURTS (INCLUDITY CITY CIVIL COURT, BANGALORE).

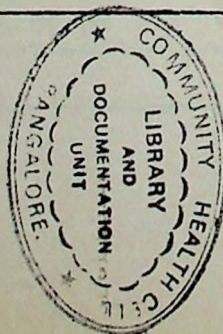
Sl. No.	Category of Cases	Pending as on 1.1.94	Institution from 1.1.94 to 31.12.94	Disposal from 1.1.94 to 31.12.94	Pending as on 31.12.94
1	2	3	4	5	6
1.	Sessions Cases	7,526	3,854	3,256	8,124
2.	Criminal Cases	4,134	2,092	1,922	4,306
3.	Criminal Revision Petitions	5,460	4,494	3,904	6,050
4.	Criminal Special Cases	2,756	2,145	1,075	3,826
5.	Criminal Misc.Cases	1,026	12,167	9,450	3,743
6.	Criminal Misc.Appeals	127	57	39	145
T O T A L		21,029	24, 09	19,646	26,192

Contd. ..

II. CHIEF METROPOLITAN MAGISTRATE AND CIVIL JUDGES & CJM COURTS

Sr. No.	Category of Cases	Pending as on 1.1.94	Institution from 1.1.94 to 31.12.94	Disposal from 1.1.94 to 31.12.94	Pending as on 31.12.94
1	2	3	4	5	6
1.	I.P.C. Cases	62,143	22,863	23,114	61,692
2.	Criminal other Law Cases	16,926	23,196	21,468	18,654
3.	Juvenile Cases	679	568	511	736
4.	Criminal Misc. Cases	653	1,630	3,127	3,156
T O T A L		84,401	48,257	48,220	84,438

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III. CIVIL JUDGE & J.M.F.C. COURTS

Sl. No.	Category of Cases	Pending as on 1.1.94	Institution from 1.1.94 to 31.12.94	Disposal from 1.1.94 to 31.12.94	Pending as on 31.12.94
1	2	3	4	5	6
1.	I.P.C. Cases	6,587	3,698	3,737	6,548
2.	Criminal other Law Cases	613	3,783	3,864	532
3.	Juvenile cases	48	91	59	80
4.	Criminal Misc. Cases	846	389	577	658
TOTAL		8,094	7,961	8,237	7,818

Contd....

IV. MUNSHIFF & J.M.F.C. COURTS

Sl. No.	Category of Cases	Pending as on 1.1.94	Institution from 1.1.94 to 31.12.94	Disposal from 1.1.94 to 31.12.94	Pending as on 31.12.94
1	2	3	4	5	6
1.	I.P.C. Cases	76,141	62,753	48,764	90,130
2.	Criminal Other Law Cases	38,585	1,00,912	95,093	44,404
3.	Juvenile Cases	1	-	1	-
4.	Criminal Misc. Cases	15,886	18,160	16,294	17,752
5.	Criminal Misc. Applications	153	710	283	580
TOTAL		1,30,766	1,82,535	1,60,435	1,52,866

Contd...

V. METROPOLITAN MAGISTRATE (TRAFFIC COURTS) AND J.M.F.C. COURTS

Sl. No.	Category of Cases	Pending as on 1.1.94	Institution from 1.1.94 to 31.12.94	Disposal from 1.1.94 to 31.12.94	Pending as on 31.12.94
1	2	3	4	5	6
1.	I.P.C. Cases	32,138	13,372	14,968	30,542
2.	Criminal other Law Cases	2,30,972	1,98,498	1,73,223	2,56,247
3.	Criminal Misc Cases	9,447	6,078	6,829	8,696
4.	Juvenile Cases	17	-	17	-
5.	Criminal Misc. Appeals	132	105	62	175
T O T A L . .		2,72,706	2,18,053	1,95,099	2,95,660

Contd....

Sl.	Category of Cases	Pending as on 1.1.94	Institution from 1.1.94 31.12.94	Disposal from 1.1.94 to 31.12.94	Pending as on 31.12.94
1	2	3	4	5	6

Total of Civil	0				
and Criminal	0				
Cases of all	0				
subordinate	0				
Courts.	0				
					55-

GRAND TOTAL		10,91,193	7,55,641	6,70,951	11,75,883
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