

National Judicial Academy



**Annual National Seminar on the Functions of Registrar (Administration) in
Different High Courts [P-1016]**

11th – 12th March, 2017

Programme coordinator

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A 2-day Annual Conference was organized by the National Judicial Academy on the Functions of Registrar (Administration) on 11th and 12th March 2017. The core objective of the conference was to equip the Registrar (Administration) with the skills of capacity building and sensitize them on various aspects of High Court Administration. The seminar provided a forum to participant registrars to discuss the roles and responsibility of Registrar Administrator and how their performance can be improved by adopting the best practices of different high courts.

The topics Use of ICT in Court Administration, Human Resource Management: Appointment, Promotion, Performance Appraisal of High Court Staff, High Court Administration: Control, Supervision and Enforcement of Discipline were also discussed during the discourse.

The programme was divided into 6 sessions. Justice RC Chavan, Justice Ravi Tripathi, Justice G. C. Bharuka and Mr. Y.V. Ramakrishna were the eminent resource persons of the conference.

The topic for session one was “**Registrar (Administration): Role and Responsibilities.**” It was emphasized that there are no uniformity in the roles and responsibilities of the Registrar (Administration) in the High Courts. However, it was suggested that the rules with regard to the administration should be written, transparent, effective and confirm to the standard of public life and business. It was recommended that the judicial officers should not pat the back of each other rather should share the real issues and problems that are cropping up in the system and make the tenure of Registrar (Administration) meaningful.

Registrar (Administration) is important and powerful officer and is a central figure in functioning of the High Court. It was suggested that Registrar (Administration) should exercise their functions systematically and fearlessly. One should never say that he has given his 100% and the feeling to do more is very important. It was emphasized that the Registrar (Administration) is a controlling officer because he is a representative of the power under Article 235 of the Constitution of India and advice the Chief Justice in various administrative matters. Getting the work done from the government is not a difficult task and one should know how to tackle the administrative work effectively and brief the Chief Justice in this regard. It was delineated that Registrar General can do effective planning resource allocation and scrutiny of the institution at various stages.

Hon'ble Justice Chavan emphasized the culture of corporate management and asserted that Registrar (Administration) should be humane. It was stated that enforcing discipline is the harsh way of doing things. Registrar (Administration) has to satisfy the needs of the institution and at times need to be very tactful. It was stated that every judicial officer is discharging constitutional functions irrespective of their hierarchy. It was also suggested that Registrar Administration should only be answerable to the chief justice and not to judges. The Registrar (Administration) should keep proper administration of judicial record and departments so as to manage and control the members of the staff of the high court.

The topic for the session two was “**Use of ICT in Court Administration/ Management.**” It was deliberated that Computer connectivity and proper training is very important for the effective implementation of the ICT mechanism. Through ICT things can be coordinated with accuracy. The ICT system not only improves the efficiency of court administration but also increase the speedy disposal of cases. It was stated that an electronic database has to be created so as to ascertain which type of cases are being filed in a particular area and before making transfer of a particular judge to that area, training should be imparted with regard to the legal developments/case laws. It will help the judicial officer to adjudicate the matters more smoothly and effectively. To be in judicial service is a national service and judicial officers are not an ordinary servant. It was recommended that e- library can act as vital tool in justice system. Primary duty of the

Registrar (Administration) is to get the things done as asked by Chief Justice of the High Court. He has to coordinate the work with the limited time and available resources. It was stated that speed and completion of work in time is very important for administration. ICT act as a catalyst and also as a monitoring tool to get the things done in time.

The session deliberated on the structure of the administration in Indian Judiciary and discussed the importance and relevance of Article 146, 227, 229 and 235 and of the Constitution of India. It was stated that data base information is very vital for promotions and retrieving information quickly which can be done through ICT mechanism. It was strongly emphasized that for effective supervision of activities such as punctuality, performance, communication, coordination, discipline and movement of files from one department to another can effectively achieved through proper implementation of ICT tools. Major hurdles and delays in pre-hearing stages can be sought out through the ICT mechanism. Adherence of ICT tools makes the judicial process more easy and smooth. However, the study of entire process of ICT which include both hardware and software is the need of the hour which can be done through experts.

The topic for session 3 was "**Human Resource Management: Appointment, Promotion, Performance Appraisal of High Court Staff**". The session talked about the banning of back door entry appointments. There should be transparency in appointment system which can be brought through computerized test system. The Supreme Court Judgment Renu and Ors. Vs. District and Sessions Judge, Tis Hazari and Anr (2014)14SCC50 was also discussed. It was emphasized that transparency in the recruitment process is necessary. Appointment should be done strictly on merits. For having a good data base it was suggested that general advertisement may be published in the official website so that all eligible person may apply for the post. The true feedback of the staff officers are also necessary for improving the institution. It was suggested that an employee should be praised in public but should be criticized and counseled separately. Seniority ought to be respected. The candidates who have adequate capacity to shoulder higher responsibility should only be considered for promotion. It was delineated that the debate regarding promotion on seniority and merit basis is never ending, though whenever both the person i.e. senior person and merit person are good at merit, then in that case senior person must be given preference over other. Annual confidential report may be communicated separately to each employee. For the execution of new activities one should sense the manpower available in the system so as to utilize it efficiently and effectively. It was suggested that updating with the change system should be there. Knowledge should not be static. It should be updated as per the need of the hour.

It was deliberated that term of office of the Chief Justices are very short. Average age of the committee is 6 months. Thus, ultimately it is the officers of the Registry who make the whole High Court function while giving proper briefs and executing administrative orders. Therefore, Registrars are said to be the back bone of the judiciary. One should bother about the institution and should not go for personal interest. It was stressed that our bonafide should be clear. It all depends upon the outlook, approach to life and positive attitude towards the work. It was stressed that Human touch for the subordinate staff is very essential. It has to be seen that injustice should not be done to them.

The topic for session 4 was "**Capacity Building and Skills Up gradation in the High Court Staff**". It was emphasized the systematic and institutionalized training to staff members on capacity building is the need of the hour. It was stated that encouragement and appreciation to the staff is very important. Putting the person at the right place depending upon his capability is the right strategy for getting the things done effectively and efficiently. Skill up gradation is not difficult if it is practiced. Giving time to yourself is also important. Skill upgradation should be in continuity and has to be institutionalized. It was delineated that

every person is different and has his own instinct of work. Each person has to be treated differently depending upon his skills. They have to be motivated to give their best. Some incentive should be given to the staff in order to encourage them to appear for exams. It was suggested by Justice RC Chavan that High Court should frame appropriate scheme and programme to spend the money/ expenditure so that it can be institutionalized.

It was deliberated that senior officers need to train junior officers and should not lose patience. It was emphasized that mistake can be pardoned but mischief is to be punished. Justice G. C. Bharuka suggested that we must recognize the effort of others and must learn to reward a person who build their capacity through their own efforts. This will motivate others. High Court Registry must have some scientific standard method to measure the skills and capacity of the staff members. Hon'ble Justice RC Chavan remarked that as a judge we have to look the life comprehensively. It was suggested that judicial officers should be allotted the work of court managers and should be trained in reputed management schools. It was emphasized that the court management subject should be introduce in the induction level only.

The topic for the 5th session was ***“High Court Administration: Control, Supervision and Enforcement of Discipline”*** It was recommended that problems and pragmatic solution has to come for better governance in Court system at High Court, district and taluka level. Manual system has to be improved and one has to be innovative and think out of the box. Justice G. C. Bharuka suggested that the name of the court manager should be changed to court facilitator and should get attach to District Judge and to the Registrar (Administration) in case of District court and High Court respectively. It was emphatically emphasized that there should be systematic working and one should take the best use of technology. For the proper administration effective study and monitoring of all section/branch is required. Challenges of computerization in district court was highlighted which includes vested interest, computer phobia that data may get deleted and dependency factor. otal dependency on the NIC should not be there and one should understand how the computer system works.

It was stated that Registrar (Administration) does not have complete control over the data of administration. Therefore, it is suggested that administration and control of data should be with the Registrar (Administration) so that no tampering can be done. It was highlighted by Mr. Y.V. Ramakrishna that backlog of cases is a global problem. Registrar (Administration) plays a very important role in the administration and should act as good and efficient manager. It was stated that winners do not do different things, they do things differently. It was stated that not only unnecessarily movement of files but also repetition of work should be avoided where staff does not need to apply their mind and suggested to adopt the 'format or checklist system' in the court. It was expressed that interaction with the senior officers and staff of the branch is very important for the total control of the branch.

It was suggested that Registrar (Administration) should find the reasons for delay of scrutiny of files and try to seek out the remedy as it is the major source of corruption. It was stated that introduction of format/pamphlet for administrative work can make the execution easier. It was recommended that Registrar (Administration) should have full knowledge and control over the service rule. Discipline does not mean ruling with iron rod and one should have humanistic approach while dealing with human resource. Effective implementation of the ICT can make the difference.

The topic for the 6th session was ***“Best Practices and Procedures in Court Proceedings Followed in the High Court”***. In the last session each participant shared his view and talked about the best practices and procedures followed in their High Court. One of the participant suggested that there is no uniform procedure in the 'mentioning', which now-a-days are orally done. It was suggested that file moves through many section which not only increases the chance of corruption but also leads in duplication of work

therefore flowchart must be made in order to avoid the duplication of work. It was suggested that Registrar (Administration) must study whether the work within the staff is equally distributed or not, he should see who is overburdened with work and who has less work. Some standardization need to be required in every system.

The conference concluded with the concluding remarks by Hon'ble Justice G. Raghuram, Director, and National Judicial Academy. Participants expressed their gratitude and positive feelings for the conference conducted by National Judicial Academy. They requested to expand the number of days of the programme.