

## Program Report [P-1428]

# NATIONAL JUDICIAL ACADEMY



### NATIONAL CONVENTION FOR SENIOR HIGH COURT JUSTICES: STRENGTHENING FISCAL AND ADMINISTRATIVE PROTOCOLS IN HIGH COURTS

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**NATIONAL CONVENTION FOR SENIOR HIGH COURT JUSTICES:  
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COURTS**

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The two day National Conference for Senior High Court Justices: Strengthening Fiscal and Administrative Protocols in High Courts was attended by 22 High Court Justices from 14 High Courts of India. The conferences delved into examination of critical administrative and fiscal management dimensions essential to effective judicial governance and administrative governance, addressing foundational administrative functions, technological integration, and financial stewardship in High Courts. The convention underscored that administrative excellence constitutes the bedrock upon which substantive judicial delivery rests, and that a Chief Justice's role transcends purely adjudicatory functions to encompass comprehensive institutional leadership.

**SESSION 1: ADMINISTRATIVE FUNCTIONS OF THE HIGH COURT/CHIEF JUSTICE**

The opening session examined the administrative architecture through which Chief Justices operationalize administrative governance. The discussion centred on three foundational pillars: effective Registry Management and Inspections, training of secretarial staff, and management of Full Court Meetings. The session dwelt into examination of the power reposed constitutionally over a Chief Justice (CJ) of a High Court. Understanding the scope of such power becomes extremely necessary for the future CJs, to optimise the ballpark of his/her operating area. It was underscored that CJ is the “first amongst the equals”. Two separate sets of power were explained. First, that governed by Article 229 (as the CJ of a HC); and second under Article 235 (as High Court having jurisdiction) under the Constitution of India.

**Effective Registry Management and Inspections** - The Registry was characterized as the sensory apparatus of the High Court essentially the so called eyes, ears, of the High Court, and the vital communicative bridge through which judges remain connected to each other and to the institution. Discussing on the importance of the support staff of a High Court it was underscored that, in essence a team of efficient staff renders persona to a High Court judge and to the institution. The role of the Chief Justice in selection of efficient officers and staff should not be delegated as it emerged as crucial, requiring that selection thresholds remain under centralized control to ensure quality incumbents who become ambassadors of institutional integrity. Registry management directly depends upon the effective selection of persons placed in responsible positions within the institutional framework. It was emphasised that in 1991 Justice Ranganath Mishra had suggested that the two wings of judiciary i.e. Administrative and Judicial wing(s) must be given dedicated specialized trainings to empower the institution as one.

The foundation of public trust was noted to reside substantially with subordinate staff, whose conduct must be closely monitored and mentored to maintain sanctity of the judicial institution. The discussion emphasized that the inspection function of the Chief Justice is his/her

primordial duty, with physical visits by them as “guardian judges” to the grassroots level, ensuring therein an essential oversight mechanisms.

Regarding Training of Secretarial Staff - The session recognized that both technical and non-technical training of secretarial staff constitutes a strategic investment. The training framework must encompass judicial ethics, constitutional values, and protocols specific to High Court functioning.

Full Court Meetings - Preparation of Full Court Meeting agendas emerged as the exclusive prerogative of the Chief Justice, though in practice often delegated to the Registry. The discussion highlighted that agenda preparation is not merely procedural but constitutive of institutional consensus-building. Items requiring discussion must balance constitutional values, conscience, and established rules derived from Articles 225 to 235 of the Indian Constitution. The 110 working days established since 1958-59 as the statutory standard for High Court functioning under Central Government Rules formed the temporal framework within which administrative business must be conducted.

## **SESSION 2: ADMINISTRATIVE FUNCTIONS OF THE HIGH COURT/CHIEF JUSTICE (CONTINUED)**

The second session deepened administrative analysis by examining the Chief Justice’s role as “Master of Roster,” committee constitution, portfolio judge responsibilities, Annual Confidential Reports (ACRs), and selection protocols for judicial officers.

Chief Justice as Master of Roster: Judicial and Administrative Considerations - The Constitution vests in the Chief Justice exclusive power over roster preparation under Article 229, making the roster a quintessentially an administrative document. The discussion recognized that roster design reflects both judicial efficiency and developmental objectives. The distinction between Articles 229 and 285 was clarified, with only Article 229 conferring exclusive jurisdiction on the Chief Justice regarding roster matters.

Central Government Rules govern the total number of working days (110 annually), which the CJ must manage through strategic roster allocation. The discussion noted that the only individual in every High Court who functions as a "Jack of all trades" is the "Legal Remembrancer" or "Registry Head", who must maintain comprehensive records of all protocols to enable effective administrative functioning.

Constitution of Committees and Full Court Proceedings - The CJ constitutes committees and convenes Full Court meetings, where major institutional decisions are finalized. A constitutional question was posed regarding the proper interaction between Rules made by High Courts and Gazette Notifications issued by State Governments. The strength of Administrative Committees lies in their capacity to prepare recommendations, which the Full Court then decides upon, ensuring consensus.

Bench assignments to judges require careful consideration of judicial specialization aligned with 80% of existing expertise, while also exposing judges to new areas to explore latent talents and move beyond mundane functions. The discussion reflected on whether representation from

the Service judiciary in committee assignments constitutes a good practice, recognizing the value of diverse perspectives.

The nomenclature of “Guardian” judges and “Administrative judge” was discussed, with the physical visitation by guardian judges established as a primordial duty. The metaphor “a farmer's foot is the best fertilizer” underscored the importance of direct supervisory presence over delegated oversight.

**Recruitment and Selection of Judicial Officers** - The session addressed recruitment policy that previously lacked uniformity. The All India Judges' Association established a 50:50 ratio norm from the Bar and Services, subsequently changed to a minimum experience requirement of 2 years. The recent recruitment structure follows a 60:35 ratio.

A central debate emerged concerning whether psychological examination or ACR standardization should form part of selection criteria. The view that judicial work is more a matter of experience than theoretical knowledge was emphasized, with training providing the mechanism to institutionalize experience. The discussion reflected on the relevance of experience certificates, particularly whether an advocate's experience becomes apposite when selected as a Civil Judge.

Also, Article 284 which mandates immediate transfer of all amounts to the Consolidated Funds of India was discussed in detail during the session. **Gap Analysis in Resource Planning** - The session identified a critical lacuna: no comprehensive studies exist assessing human resource requirements in ICT-driven judicial environments. As courts modernize through technology, the correlation between technological capacity and staffing needs remains unanalyzed, creating potential mismatches between infrastructure investment and institutional capacity. The metaphorical framing “first amongst equals” established the Chief Justice's unique position within collegiate structures. The session emphasized that there can be no comparison between the roles of the Chief Justice, senior judges, and other judges; each operates within a distinct sphere of action, and hierarchical ranking is inappropriate within a collegial judicial family. The metaphorical framing “first amongst equals” established the Chief Justice's unique position within collegiate structures. Explaining the acceptability of CJ as a leader, the discussion proposed the analogy of a thumb among fingers in a fist illustrated that the thumb, while not the largest finger, maintains best accessibility to all others, making it functionally indispensable. This reflected the leadership principle that CJ should seek “feed forwards” (anticipatory feedback) rather than await “feed backs” (reactive responses).

**Transition from Self-Focused to Institution-Focused Leadership** - A CJ's work is measurable not through the number of judgments written but through the impact made in justice dispensation. The leadership transition is from self-focused deliverables to institution-oriented objectives, wherein recommendations and roster assignments constitute the Chief Justice's primary work product. This reframing positioned administrative and leadership functions as equally significant to adjudicatory output.

**Maintaining Docket of Reserved Judgments** - The discussion identified best practices for managing pending judgments: facts should be dictated in open court while arguments are being

made, and the operative order dictated as soon as reasoned conclusions are reached. While full reasoning can be written subsequently, dictating judgments in open court while the case remains fresh in the judge's mind ensures accuracy and allows parties to request clarifications if necessary. This practice consumes more time per case but reduces overall disposal pressure by improving quality. An additional best practice involves the CJ circulating a list of pending judgments (with comments) to all judges, enabling proactive management and identifying sensitive cases requiring expedited attention. Some cases warrant dictation in open court as soon as possible due to their sensitive nature.

**Roster Distribution and Case Classification** - Rather than distributing work on a year-wise basis, a subject-categorized classification approach is recommended, allocating matters based on subject expertise. For part-heard matters, the expectation is that hearings conclude within three months. Judges should request synopses from parties specifying: a) Citations of relevant case law; b) Party names; c) Relevant paragraphs of judgment extracts; d) Positions being supported.

This structured approach expedites judgment preparation without sacrificing quality.

Leadership Framework	Focus Area	Mechanism
Time Management	Judicial Balance + Administrative Roster functions	optimization & delegated
Docket Management	Quality + Timely Delivery	Open court dictation + party summaries
Inter-branch Collaboration	Infrastructure, Budget, Law & Order	Pragmatic engagement with executives
Institutional Impact	Justice Effectiveness	Dispensation Measurable through systemic improvements

### **SESSION 3: ROLE OF ICT IN ADVANCING JUDICIAL GOVERNANCE**

The third session examined how Information and Communication Technology (ICT) functions as an enabler for process re-engineering and governance advancement in High Courts, while maintaining the balance between open courts and privacy protection.

**Advancements in Technology and Impact Assessment** - The discussion centred on the dual imperatives of technological adoption and institutional integrity. References to ChatGPT, Copyleaks, and ChatGPT Humanizer emerged as tools that courts must understand and potentially contemplate its use and regulate them. The tension between open court principles (rooted in CrPC 327 & Article 145(4) of the Constitution of India) and Fundamental Right to Privacy was discussed.

The session raised fundamental questions about how courts can harness AI-driven tools while protecting litigant confidentiality, judicial reasoning integrity, and due process. The discussion acknowledged that technology adoption must be strategic and closely monitored to prevent unintended consequences.

**ICT as Process Re-engineering Enabler - Court Management Tools and collaborative training mechanisms** were identified as critical infrastructure investments. The session emphasized that ICT is not merely about computerizing existing processes but fundamentally re-engineering workflows to achieve greater efficiency and accessibility. The comparative analysis referenced successful ICT integration in other jurisdictions, including Sri Lankan institutional practice.

#### **SESSION 4 & 5: BUDGET PREPARATION & FISCAL MANAGEMENT AND TIME MANAGEMENT & INTER-GOVERNMENTAL COLLABORATION**

The fourth and the fifth sessions addressed the fiscal underpinnings of judicial governance, covering pre-budget planning, expert consultation, budgetary synergy with fiscal authorities, resource utilization, and gap analysis. The CJ's role in balancing judicial and administrative functions, maintaining dockets of reserved judgments, and fostering collaboration between the judiciary and executive branches at Union and State levels.

**Fiscal Framework and Constitutional Grounding -** Under Article 229(2) of the Constitution, budgets are charged against the Consolidated Fund of India, giving judges a “ringside view” of fiscal resource management. The opening metaphor “the true administration of justice is the firmest pillar of good government”, established the philosophical foundation that judges must engage meaningfully with financial stewardship as an extension of their governance responsibility. The session noted that judges traditionally approach financial and budgetary management with diffidence, viewing it as specialized territory or manifesting mere apathy regarding fiscal expertise. The discussion reframed this: judges, as custodians of justice dispensation, bear institutional responsibility for ensuring that financial resources translate into operational effectiveness.

**Pre-Budget Planning: Utilization Assessment and Sector-Wise Estimates -** Effective pre-budget planning requires assessing past utilization patterns and identifying current requirements against contingencies. The distinction between planned and non-planned expenditure was clarified: earlier, the Planning Commission (now scrapped) provided funding for new infrastructures and developmental schemes (planned expenditure), while the Finance Ministry provided recurring expenses through planned expenditure. The modern classification requires distinguishing between developmental investments (such as ICT-driven judicial efficiency improvements) and recurrent administrative costs. The critical insight emerged: the issue does not lie in budget availability but in expenditure efficiency. Judges often receive adequate allocations but fail to spend them effectively, undermining the development potential of fiscal resources.

**Synergy with Fiscal Authorities -** The session emphasized the necessity of courts engaging with fiscal authorities through effective reasoning and co-opting specialized expertise. A “mosaic of specialized people from the field of finance”, should be integrated into budgetary discussions

to bridge knowledge gaps and ensure judges' recommendations are grounded in fiscal reality. The discussion noted that there are currently no systematic studies assessing human resource requirements in the wake of ICT-driven environmental transformation, a significant gap area for institutional analysis.

**Collaboration with Union and State Executive Branches** - The Chief Justice must maintain productive relationships with government executives concerning three critical areas: Infrastructure, Budget, and Law & Order. The discussion emphasized that effective collaboration requires both institutions to understand each other's constraints and collaborate pragmatically while maintaining constitutional separation.

Security of courts emerged as the Chief Justice's duty, particularly given massive footfalls in modern High Courts. The integration of administrative, fiscal, and inter-governmental collaboration constitutes the comprehensive leadership framework through which a Chief Justice advances institutional effectiveness.

The National Convention established that administrative and fiscal stewardship by Chief Justices is not peripheral to judicial function but constitutive of effective justice delivery. The integration of Registry management, human resource development, technological adoption, budgetary planning, and inter-institutional collaboration forms a comprehensive framework through which Chief Justices advance institutional excellence. The convention reinforced that leadership in the judiciary is measured by institutional impact rather than individual output, requiring a transition from self-focused adjudication to institution-oriented governance that ensures courts function with maximum effectiveness and accessibility.