



# ANNUAL REPORT 2022









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# **ANNUAL REPORT 2022**





# Highlights

1

**1,36,599** cases disposed of by the High Court in 2022 compared to 1,05,182 cases in 2021- an increase of 29.86 %. Case clearance rate increased to 130.94% from 81.67% in 2021

**5,15,392** cases disposed of by the District Courts in 2022 compared to 2,38,588 cases in 2021 - an increase of 116.02 %. Case clearance rate increased to 93.20 from 54.87% in 2021.

2

**2,118** judgments delivered by the High Court in 2022 compared to 810 in 2021

**1,61,263** judgments delivered by the District Courts in 2022 compared to 72,806 in 2021

3

Highest working strength of **24** in the High Court, during 2022.

4

Vulnerable Witness Deposition Centres in every one of the 30 districts

5

Establishment of 34 paperless Courts in the districts

6

Establishment of 10 District Court Digitization Hubs

7

Implementation of case load rationalization across the District Courts



# Highlights

**8**

Scheme for Best Performing Districts introduced

3 Best Districts :

- Balangir in Zone - A
- Nayagarh in Zone - B
- Deogarh in Zone - C

**9**

Launch of the Judicial History Project and the Centre for Judicial Archives

**10**

Provision of SCC Online to all the Judicial Officers of the State

**11**

Setting up of a Judicial Infrastructure Management Agency, the first of its kind in the country

**12**

Opening of e-Libraries for the lawyers in each of the 30 districts and 2 outlying Stations

**13**

'Lawyer of the Year Award' introduced for District Court lawyers in the age group of 30-40

**14**

Felicitation of High Court employees completing 25 years



सत्यमेव जयते



तुल्येव चायस्त्ववधारणीयः

Insignia in the Chief Justice's Court in the old building of the High Court



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*There are still milestones to be achieved and this is not the time for the judiciary in Odisha to become complacent but to build on the achievements.*



## ***From the Desk of the Chief Justice***



2022 was an eventful year for the Judiciary in Odisha. It was a year of revival and resurgence after two years of the Covid 19 pandemic, the last phase of which was experienced in the first few months of 2022. The 75<sup>th</sup> year of the High Court of Orissa commenced on 25<sup>th</sup> of July 2022.

In 2022, the Judiciary in Odisha witnessed an improved performance on all fronts. While disposal of cases by the High Court increased by over 29.86 % (1,36,599 cases disposed in 2022 compared to 1,05,182 cases in 2021), and the clearance rate was 130.94 %, the District Judiciary also put up an impressive performance by disposing of 5,15,392 cases which was 116.01% over 2021 (2,38,588 cases). Even in terms of the judgments delivered, there was a marked improvement. The High Court delivered 2,118 judgments in 2022 while the District Judiciary delivered 1,61,263 judgments. The corresponding figures for 2021 were 810 and 72,806 respectively.

A number of factors contributed to this improved performance. The High Court had the highest ever number of 24 Judges for

most of 2022. By the end of the year, the number was 22 with the retirement of two Judges. In the District Judiciary too, 50 new Judges were inducted at the level of the Orissa Judicial Service and 20 at the level of the Orissa Superior Judicial Service.

After a gap of seven years, an Annual Report of the functioning of the Orissa Judiciary in 2021 was released at the District Judges Conference held between 25<sup>th</sup> and 27<sup>th</sup> February, 2022, which itself was being held after a gap of over nine years. The conference witnessed the participation of the District Judges and the Chief Judicial Magistrates of each of the 30 districts. Three important recommendations of the District Judges' Conference, which were followed up on and implemented during 2022 were (a) rationalization of the distribution of the caseload among judges (b) opening of paperless courts in the districts and (c) targeted timely disposal of rape cases and cases under the POCSO Act.

Many first-time initiatives were launched in 2022. In every District Court, a Vulnerable Witness Deposition Centre (VWDC) was



inaugurated. Odisha became the first state in the country to have a VWDC in every district. On 17<sup>th</sup> September, 2022, the Chief Justice of India, Justice U.U. Lalit inaugurated 34 Paperless Courts in the Districts.

Other initiatives included the Lawyer of the Year award for the District Court lawyers which is perhaps the first of its kind in the country. In 2022, the High Court bestowed this Award on 22 lawyers practising in the District Courts. The purpose of the scheme is to identify talented lawyers in the age bracket of 30 to 40 years and to encourage them to conduct full-fledged trials.

To incentivize better performance by the District Judiciary, the High Court announced a scheme for recognizing the 'Best Performing District Court.' This was done by categorizing District courts on the parameters of judge strength and caseload into three zones.

The year also witnessed the completion of the modernization and refurbishing of the Judicial and Administrative branches in the High Court. The working ambience for the employees has visibly improved. Employees completing 25 years of dedicated service in the High Court were felicitated at a function held on 1<sup>st</sup> February, 2022. The felicitation of retiring employees once in every two months continued with greater participation of High Court judges.

The Record Room Digitization Centre (RRDC), which has been the sinecure of appreciative eyes throughout the country, completed one year of its functioning on 11<sup>th</sup> September, 2022 with an impressive performance in terms of the number of case records digitized. 2022 also saw the launch of the Judicial History Project with a conservation lab being set up

by INTACH to treat and revive fragile judicial records and then archive them with the help of experts. The opening of District Court Digitization Hubs in ten districts by Justice D. Y. Chandrachud, the Chief Justice of India on 12<sup>th</sup> December, 2022 has taken the digitization project to the next level. It is expected that by the end of 2023, every judicial record in every District Court and every case record in the High Court would be digitized and it will be possible to have every Court in Odisha function as a paperless Court.

My colleagues in the High Court sitting in various Administrative Committees have overseen the functioning of the District Courts as well as the Registry of the High Court on a continuous basis and this has greatly helped in the improved performance over the year. The Bar and Bench relationship in the High Court has remained cordial. The orders passed by the Supreme Court of India in the months of November and December 2022 have underscored the need for complete commitment by lawyers in the Districts to their profession keeping in view the constitutional promise of equal and fair justice to the litigants. These orders, it is expected, will further improve the relationship between the Bar and the Bench in the Districts.

The years 2021 and 2022 may be viewed as years of progress and transformation of the Judiciary in Odisha, the prime reason for which has been the successful adaptation of technology and best management practices. This would not have been possible but for the dedicated and unstinting efforts of the Registry of the High Court led by the Registrar General and his team of officers, and the staff of the High Court. This has been matched in equal measure by the District Judiciary,

both on the judicial and administrative side, including the staff in the District Courts.

There are still milestones to be achieved and this is not the time for the judiciary in Odisha to become complacent but to build on the achievements. The State and Central Governments have lent complete support to the measures taken by the High Court in achieving the targets and goals set for itself in the year 2022. Their continued support will ensure an even better performance by the High Court of Orissa in its 75<sup>th</sup> year and the Odisha Judiciary as a whole in the years to come.

Cuttack  
10<sup>th</sup> February, 2023

For me personally I am aware that this will be the last of the messages as Chief Justice. As I step down this year, after completing over two years of satisfying work, I shall live in the knowledge that the Odisha Judiciary is on the right track to be among the best in the country. I wish to record my deep appreciation of all those who made it possible including my colleagues in the High Court, the Registry, the Judicial Officers in the various districts and the staff.

**S. Muralidhar**  
Chief Justice





*Sculpture by Padma Vibhushan Sudarshan Sahoo at the Entrance of the New Building of the High Court*



## Introduction



*(L-R) Justice B.P. Routray, Justice K.R. Mohapatra (Chairman), Justice Sashikanta Mishra, Justice Chittaranjan Dash  
Committee for the preparation of the Annual Report, 2022*

The Annual Report of 2022, which is third such publication after 2015 aims at mirroring in brief, the activities and functioning of the High Court and the District Courts in Odisha in an all-inclusive manner. The idea is to take the reader on a journey through all that was done in the past year in the High Court and the District courts. The judiciary, which is considered as the custodian of the Constitution and the guarantor of the fundamental rights owes it to the society at large to make the functioning of its organisation transparent and known to all concerned. With the above intention in mind, the Annual Report of 2022 has been published being broadly divided into six chapters and includes a set of appendices.

The Annual Report begins with a message from the Chief Justice of the High Court, Dr. Justice S. Muralidhar. The first chapter highlights the history of the High Court and its journey through the past 75 years. It contains information on the present Judges, administrative Committees, and

the registry along with an elaborate narration of the infrastructure which is being continually augmented. The noteworthy creation of the ‘Centre for Judicial Archives’ which aims at preserving the old case records having historical value along with revamping of the existing Museum of High Court to a real time ‘Museum of Justice’ have been indicated. So also the information relating to Judicial Infrastructure Management Agency (JIMA) the formation of which is a milestone in the history of the state judiciary and one of its kind in the entire country. Further, the ICT initiatives have also found space indicating how the Orissa High Court has set out a benchmark in modernising the state judiciary by creating ease of access with the help of newer technologies.

The first chapter also includes the statistics of the cases in the High Court. Information on the monthly percentage of disposal and clearance rate of the cases has been provided. Additionally, a comparative analysis has been



made with regard to the judgments delivered during 2021 and 2022. A narrative on the budgetary allocations and expenditure under different heads has been given. Furthermore, information about various other activities carried out beyond the primary role of adjudication of cases undertaken by the High Court has been given including initiatives such as felicitating the employees completing 25 years of service. Information about the scheme 'Lawyer of the year award' has also been given.

The second chapter contains information about the allied organs of the High Court such as the Odisha State Legal Services Authority (OSLSA), the Odisha Judicial Academy (OJA) and the Centre for Judicial Archives and the Museum of Justice and the various activities undertaken by them in the past year.

The third chapter provides information about the Office of the Advocate General and the Office of the Deputy Solicitor General of India for the High Court of Orissa and the the High Court Bar Association.

The fourth chapter is an exhaustive portrayal of reports, statistical analysis, activities and achievements of the District Courts of Odisha, with a view to informing the reader of all the significant steps taken to augment the existing infrastructure of the district courts. This includes establishment of Vulnerable Witness Deposition Centres (VWDC) in all the 30 districts, provision of SCC Online to all the Judicial Officers of the State and providing 'E- Library' for lawyers in all the district headquarters etc. Information about the resolutions adopted in the last District Judge's Conference held in February 2022, such as rationalization of the case load amongst officers belonging to the same cadre, establishment of paperless Courts etc have been provided. Information about the scheme 'Lawyer of the year Award' has also been given. The fourth chapter also includes information

about best performing districts and all other statistical information and updates regarding the District Courts.

Like its previous edition, the fifth chapter of the Annual Report of 2022 contains concise summaries of some of the significant judgments pronounced by the High Court of Orissa in the year 2022.

Again, as in the previous edition, a whole chapter (Chapter-VI) has been devoted to highlighting the challenges faced by the judiciary and the initiatives taken to meet them.

In order to improve the aesthetic ambience of the High Court building, artwork, including sculpture, paintings and craft work from different regions of the State has been displayed in the corridors, in the Chief Justice's chamber and in the Judges' lounge. A separate section, 'Artwork in the High Court' depicts the photographs of the artwork and a brief write up on each of them.

It is a matter of satisfaction that the Annual Report of 2021 was well received at the national level. The report's effort to make the activities of the judiciary transparent to the people at large and the attempt at introspection, was appreciated.

The Annual Report of 2022 is, as mentioned earlier, an all-inclusive report which aims not just to highlight the achievements of the state judiciary but also brings to attention the various shortcomings, challenges and issues, which the judiciary is committed to addressing constructively for evolving a robust justice delivery mechanism.

Finally, the Committee records its appreciation of the contributions and assistance rendered by Shri Samyak Mohanty, Research Assistant and Ms. Tanuja Meghamala, Researcher (Law) in preparation of the Annual Report. The Committee also wishes to thank Mrs. Panchami Manoo Ukil for contributing the descriptive writeups of the artwork.

**The Chairman and the Members of the Committee**  
*for the preparation of the Annual Report, 2022*

# The High Court







*Heritage building of the High Court*



## High Court of Orissa- A Journey of 75 Years



*The illuminated High Court building on the Foundation Day; 26<sup>th</sup> July, 2022*

### Genesis

Historians suggest that a well-developed system of governance was in place in Kalinga or Utkala in the ancient times which was further modified and refined by legal treatises like Arthashashtra and the different Smritis from time to time as also local customs. By the end of 18<sup>th</sup> century AD, Odisha (then known as Orissa) had witnessed fundamental changes in the judicial system introduced by both the Hindu and Muslim rulers.

In the beginning of the 19<sup>th</sup> century an entirely new system was introduced by the colonial rulers (East India Company) that was further modified into a uniform system by the end of the said century. With the establishment

of the High Court of Judicature at Calcutta, Odisha being part of the erstwhile Bengal province came under its jurisdiction in 1861. On 22<sup>nd</sup> March, 1912, a new province of Bihar and Orissa was formed but the province continued to be under the jurisdiction of the Calcutta High Court till the establishment of the Patna High Court on 26<sup>th</sup> February, 1916. Eleven Judgeships (Districts) in Bihar and one in Odisha were subject to the jurisdiction of the Patna High Court. As ordained in the Letters Patent the Patna High Court began sitting in circuit at Cuttack from 18<sup>th</sup> May, 1916. Keeping in view the practical difficulties encountered in the Circuit sittings of the Patna High Court at Cuttack, there was a growing demand for Orissa to have its own High Court.





*Judges' lounge in the new building of the High Court*

By resolution dated 15<sup>th</sup> August 1942, the Government of Orissa constituted a committee to examine the question of establishing a High Court for Orissa. The Committee's report was published on 31<sup>st</sup> December, 1943. Consequent upon the government accepting the Committee's recommendations, the Governor of Orissa submitted an address to the Governor General of India on 3<sup>rd</sup> March, 1948 that a High Court, be constituted for the Province of Orissa. On 30<sup>th</sup> April 1948, the Governor-General of India in exercise of the powers conferred by Section 229(1) of the Government of India Act, 1935, issued the Orissa High Court Order, 1948 providing for the constitution of the High Court for the Province of Orissa from 5<sup>th</sup> July, 1948. Subsequently, by the Orissa High Court (Amendment) Order 1948, the date of formation was changed to 26<sup>th</sup> July, 1948.

### **The journey commences**

The High Court began with four Judges which included the Chief Justice, Justice B. K. Ray who held office till 31<sup>st</sup> October 1951. Justice Jagannadha Das succeeded him. Justice Das was followed by Justice Lingaraj Panigrahi as Chief Justice from 4<sup>th</sup> March, 1953. Justice R.L. Narsimham took oath as the Chief Justice on 22<sup>nd</sup> March 1956.

### **Initiatives:**

The High Court, in its journey of the past 75 years, apart from making sincere attempts to fulfill its Constitutional obligations, has also

been alive to the changes in technological field through time and has endeavored to incorporate the same in the justice delivery system through various programs and initiatives to make it more effective and accessible to the common litigant. The need for preservation of the records for posterity in an easily accessible format has also been recognized. Similarly, measures have been taken to deal with the problem of the judge-population ratio by resorting to optimum use of resources for disposal of cases.

Some of the initiatives and achievements, which have been separately discussed in this report are:

- (a) Higher disposal of cases
- (b) ICT (Virtual courts and courtrooms/ VWDC/E-Filing)
- (c) Rationalization of cases
- (d) De-clogging of store-houses and reorganization of record rooms
- (d) Digitization/Judicial Archives/ Judicial History
- (e) Regular supervision of the working of the Courts

To sum up, the journey of 75 years has been satisfying in terms of achieving the goals set for the institution at the beginning. The work is far from over but the experience of all these years does serve as an invaluable guide as the institution embarks on the journey forward standing committed to dispensing justice to the people of Odisha.





## Chief Justice and Judges of the High Court of Orissa

*Sitting from left to right – Justice B.P. Routray, Justice S.K. Sahoo, Justice D. Dash, Dr. Justice B.R. Sarangi, Justice Jaswant Singh, Dr. Justice S. Muralidhar, Chief Justice, Justice S. Talapatra, Justice Arindam Sinha, Justice Biswanath Rath, Justice K.R. Mohapatra and Dr. Justice S.K. Panigrahi.*

*Standing from left to right – Justice G. Satapathy, Justice S.K. Mishra, Justice M.S. Raman, Justice Sashikanta Mishra, Justice R.K. Pattanaik, Justice Savitri Ratho, Justice M.S. Sahoo, Justice A.K. Mohapatra, Justice V. Narasingh, Justice B.P. Satapathy and Justice Chittaranjan Dash.*

## *Judges*

The High Court of Orissa had a sanctioned strength of 27 which stood increased to 33 by the notification dated 2<sup>nd</sup> February, 2022. The increase was sought on account of the transfer of 49,817 cases to the High Court for adjudication following the abolition by the Government of Odisha of the Orissa Administrative Tribunal (OAT). By the end of 2022 only around 8,245 of these transferred cases of the OAT remained on the High Court's docket.

In the beginning of 2022, the working strength of the High Court was 18. It rose to 21 on 14<sup>th</sup> February, 2022 with the swearing in of Justice V. Narasingh, Justice Biraja Prasanna Satapathy and Justice Murahari Sri Raman on their elevation from the Bar. The working strength further rose to 23 on 10<sup>th</sup> June, 2022 with the swearing-in of Justice Subhasis

Talapatra on transfer from the High Court of Tripura and Justice Sanjay Kumar Mishra on elevation from the Bar. However, with transfer of Justice Chitta Ranjan Dash on 20<sup>th</sup> June, 2022, the working strength went down to 22.

On 13<sup>th</sup> August, 2022 the working strength rose to 24 with swearing in of Justice Gourishankar Satapathy and Justice Chittaranjan Dash on elevation from the cadre of District Judge. With the retirement of Justice Satrughana Pujahari on 22<sup>nd</sup> September, 2022 and Justice Biswajit Mohanty on 21<sup>st</sup> October, 2022, the working strength stood at 22 and remained as such till the end of 2022. This is still the highest number of judges the High Court has had thus far. On the 11 vacancies that remain at the end of 2022, six were in the bar segment and 5 in the service segment.



*Justice Chitta Ranjan Dash*



*Justice Satrughana Pujahari*



*Justice Biswajit Mohanty*





*Justice V. Narasingh, Justice Biraja Prasanna Satapathy and Justice Murahari Sri Raman being sworn in on 14<sup>th</sup> February, 2022*



*Justice Subhasis Talapatra and Justice Sanjay Kumar Mishra being sworn in on 10<sup>th</sup> June, 2022*



*Justice Gourishankar Satapathy and Justice Chittaranjan Dash being sworn in on 13<sup>th</sup> August, 2022*

## ***Case Statistics of the High Court***

The High Court of Orissa introduced the practice of uploading on its website, the case statistics on a monthly basis with the objective of placing the performance of the state judiciary in the public domain. While preparing the case statistics, an earnest endeavour was made to reflect all granular details including pendency, institution vis-a-vis disposal statistics, time devoted to judicial work including loss of judicial hours due to pandemic, cease work by the members of the Bar, suspension of court work and references held on account of the demise of advocates and Judges, Judges on leave, administrative duties, training, etc. Further, the Case Clearance Rate (CCR) i.e. the rate at which the cases are disposed of taking into account the institution of the cases for a given period is also highlighted. The working hours for a given period has been computed taking into account the number of hours required to be devoted in a working day multiplied by the working strength of the judges and the number of working days during the period.

At times, minor discrepancies may be found in the statistics in respect of the closing balance of a period and the opening balance of the succeeding period. Such marginal discrepancy occurs due to subsequent updation of disposal and restoration of some cases in the Case Information System (CIS). For comparison of the rate of disposal of 2022 in comparison with 2021, a comparative analysis chart has been prepared and uploaded.

The statistics is based on the information available in the Case Information System (CIS) developed by the e-Committee, Supreme Court of India for the High Courts. The objective of the decision to upload the case statistics on the website is to make the stakeholders aware of the functioning of the State judiciary. The format of the case statistics has been simplified as far as possible for better appreciation of the data. An honest effort has been made to reflect the statistics in various ways for appraisal of the real time performance of the Courts by different stakeholders.



Institution, disposal and pendency of different types of civil and criminal cases in the High Court are indicated below.

Types of Cases	Pendency as on 1 <sup>st</sup> January 2022	Institution from 1 <sup>st</sup> January 2022 to 31 <sup>st</sup> December 2022	Disposal from 1 <sup>st</sup> January 2022 to 31 <sup>st</sup> December 2022	Pendency as on 31 <sup>st</sup> December 2022
<b>Civil Matters</b>				
Writ Petitions	93,306	47,141	67,112	73,335
Company Matters	234	2	6	230
Contempt (Civil)	8,558	9,790	8,942	9,406
Review (Civil)	2,361	459	546	2,274
Matrimonial Matters	973	292	213	1,052
Arbitration Matters	369	132	231	270
Civil Revisions	201	32	35	198
Tax Matters (Direct & Indirect)	2,152	148	1,323	977
Civil Appeals	15,985	927	1,209	15,703
Land Acquisition Matters	985	78	126	937
MACT Matters	6,527	778	1,610	5,695
Civil Suits (Original side)	2	0	0	2
Other than above	12,345	4,602	5,254	11,693
<b>Total (Civil)</b>	<b>1,43,998</b>	<b>64,381</b>	<b>86,607</b>	<b>1,21,772</b>

Types of Cases	Pendency as on 1 <sup>st</sup> January 2022	Institution from 1 <sup>st</sup> January 2022 to 31 <sup>st</sup> December 2022	Disposal from 1 <sup>st</sup> January 2022 to 31 <sup>st</sup> December 2022	Pendency as on 31 <sup>st</sup> December 2022
<b>Criminal Matters</b>				
Writ Petitions	1,097	2,892	2,471	1,518
Criminal Revisions	9,538	656	546	9,648
Bail Applications	14,568	30,027	37,243	7,352
Criminal Appeals	12,658	1,353	976	13,035
Death Sentence Reference	3	1	0	4
Contempt (Criminal)	216	83	29	270
Misc. Criminal Applications	12,116	4,342	8,340	8,118
Other than above	2,468	586	387	2,667
<b>Total (Criminal)</b>	<b>52,664</b>	<b>39,940</b>	<b>49,992</b>	<b>42,612</b>
<b>(Civil + Criminal)</b>	<b>1,96,662</b>	<b>1,04,321</b>	<b>1,36,599</b>	<b>1,64,384</b>

Detailed case statistics of the High Court along with relevant information for 2022 are available on the website and given at **Appendix-A**.

Broadly, the following information can be found in the statistics.

### **1. Institution, disposal and the case clearance rate at a glance**

While the opening balance at the beginning of 2022 was 1,96,662, the closing balance at the end of the year came down to 1,64,384. Total institution during the year was 1,04,321 and the disposal was 1,36,599 cases at a Case Clearance Rate of 130.94%. The institution in the month of January was high in comparison to the succeeding months because of registration of 8,588 cases received on transfer from erstwhile Odisha Administrative Tribunal.

On the other hand, the disposal in February, July, August and September were high in comparison to the other months of the year because 5,149 cases, 1,924 cases, 3,183 cases and 4,121 cases received from the Tribunal were disposed of during those months. The institution and disposal in the months of June and October were very low because of lesser number of working days due to summer vacation and Puja holidays respectively.

### **2. Judges' working strength and loss of working hours**

While the Judges' strength was the lowest in the month of January with 18 Judges, it was highest in the month of August with

24 Judges. However, the Judges' strength remained 22 at the end of the year. While 23,736.35 hours were allotted for judicial working of the High Court in 2022, 3,118.31 working hours were lost due to various reasons due to pandemic, absence of judges on account of leave, training and administrative duties, cease work by the Bar and references made on account of demise of Advocates and Judges.

### **3. Comparative analysis of 2021 and 2022**

In 2021, 1,05,182 cases were disposed of which rose to 1,36,599 cases in 2022. There has been an increase of 29.86% in disposal in 2022 as compared to the disposal in 2021. The rate of increase has been calculated taking into account the disposal of 2022 deducted by the disposal of 2021, divided by the disposal of 2021, multiplied by 100. While 810 Judgments were delivered in 2021, 2,168 Judgments were delivered in 2022.

Out of the 1,36,599 cases disposed of in 2022, 90 cases were more than 30 years old, 881 cases were 20-30 years old and 7,799 cases were 10-20 years old. 1,14,402 cases were disposed of in Single Benches, 22,181 cases in Division Benches and 16 cases in Larger Benches.



The age wise disposal of cases in Single Benches, Division Benches and Larger Benches is indicated below:

Bench Type (SB, DB, LB)	Less than 1 year	1-2 years	2-5 years	5-10 years	10-15 years	15-20 years	20-30 years	More than 30 years	Total
Disposal in Single Bench	91,369	9,208	3,704	5,682	2,718	1,083	550	88	1,14,402
Disposal in Division Bench	6,081	1,213	3,184	7,386	3,289	703	323	2	22,181
Disposal in Larger Bench	0	0	0	2	2	4	8	0	16
<b>Total Disposal</b>	<b>97,450</b>	<b>10,421</b>	<b>6,888</b>	<b>13,070</b>	<b>6,009</b>	<b>1,790</b>	<b>881</b>	<b>90</b>	<b>1,36,599</b>

The institution and disposal statistics of the High Court for the last 5 years are indicated below for a comparative analysis.

Year	Institution	Disposal	Comparative rate of increase in disposal with previous year (%)	Case Clearance Rate (%) (Disposal vis-à-vis institution)
2018	62,566	63,236	-15.45	101.07
2019	81,121	93,224	+47.42	114.91
2020	83,499	61,335	-34.20	73.45
2021	1,28,786	1,05,182	+71.48	81.67
2022	1,04,321	1,36,599	+29.86	130.94

## ***Administrative Committees***

The Chief Justice of the High Court has constituted 27 committees to deal with the administrative work of the High Court. A summary of the work done by each of the committees is given below.

### **1. Standing Committee**

#### **Chairman**

The Chief Justice

#### **Members**

Justice Jaswant Singh, Justice Subhasis  
Talapatra, Dr. Justice B. R. Sarangi  
Justice Arindam Sinha, Justice D. Dash  
Justice B. Rath

During 2021, Justice Biswajit Mohanty was a member of this Committee till 21<sup>st</sup> October, 2022.

The Standing Committee deals with all service-related matters like promotion, transfer, disciplinary matters etc. and so on of Judicial Officers belonging to the cadres of Civil Judge and Senior Civil Judge.

In 2022, 45 officers from the cadre of Civil Judge were promoted to the cadre of Senior Civil Judge on the recommendation of this Committee.

### **2. Review Committee**

#### **Chairman**

The Chief Justice

#### **Members**

Justice Jaswant Singh, Justice Subhasis  
Talapatra, Dr. Justice B. R. Sarangi  
Justice Arindam Sinha, Justice D. Dash  
Justice B. Rath

During 2022, Justice C. R. Dash and Justice Biswajit Mohanty were the members of this Committee till 20<sup>th</sup> June, 2022 and 21<sup>st</sup> October, 2022 respectively.

The Review Committee reviews the performance of judicial officers immediately prior to their completing the ages of 50 years, 55 years and 58 years. The Committee recommends whether they should continue in service beyond those ages. In the process, the Committee may even recommend, for the reasons to be recorded, compulsory retirement of officers found inefficient or of doubtful integrity.

In 2022, the performance of 36 officers was reviewed by the Review Committee. While 32 officers in all were found suitable to be continued beyond 50 years, 55 years and 58 years, 4 officers were recommended to be compulsorily retired.



### 3. Permanent Committee for the designation of Advocates as Senior Advocates

#### Chairman

The Chief Justice

#### Members

Justice Jaswant Singh, Justice Subhasis Talapatra, Advocate General, Odisha  
Mr. S. P. Mishra, Sr. Advocate

During 2022, Justice C.R. Dash and Shri Asok Mohanty, Senior Advocate were the members of the Committee till 20<sup>th</sup> June, 2022.

This Committee examines the applications received from advocates and makes recommendations as per the Orissa High Court (Designation of Senior Advocates) Rules, 2019.

During 2022, the Committee examined 83 applications and made recommendations in two phases. While 8 advocates were designated as Senior Advocates on 27<sup>th</sup> April, 2022, 2 advocates were designated on 20<sup>th</sup> December, 2022. In total, 10 advocates were designated as Senior Advocates on the recommendation of the Committee during the year.

### 4. Vigilance and Disciplinary Committee

#### Chairman

The Chief Justice

#### Members

Justice Jaswant Singh, Dr. Justice B. R. Sarangi  
Justice D. Dash

This committee examines complaints received against judicial officers and recommends whether they should be proceeded with by way of a disciplinary action or the complaints should be dropped. Complaints that are

anonymous or unsupported by an affidavit or unverified are usually not entertained.

During 2022, Justice B. Mohanty was a member of this Committee till 21<sup>st</sup> October, 2022.

### 5. High Court Building Committee

#### Chairman

Justice Jaswant Singh

#### Members

Justice D. Dash, Justice A. K. Mohapatra  
Justice V. Narasingh, Justice Chittaranjan Dash

During 2022, while Justice B. Mohanty was the Chairman of this Committee till 21<sup>st</sup> October, 2022. Justice B. Rath and Justice Sashikanta Mishra were the members of this Committee till 20<sup>th</sup> June 2022.

The High Court Building Committee has been constituted to plan and oversee the construction and the work of renovation of the Court and office buildings, residential accommodation for High Court Judges and Officers and staff of the High Court. This Committee also deals with matters relating to security, vehicles and cafeteria of the High Court.

The Committee approved the plans and estimates for the following new projects:

- (i) 550 staff quarters over 10 acres of land at Sector-13, CDA, Cuttack;
- (ii) 7 new bungalows for Judges in the Cantonment Road area of Cuttack;
- (iii) Expansion of the Administrative Block of the High Court;
- (iv) New building for the Centre for Judicial Archives over Ac.1.884 dec at Sector-1, CDA, Cuttack;

- (v) Covered parking in front of the new building of the High Court;
- (vi) New Annexe building (B+G+4) for the Bar in the High Court premises;
- (vii) Foot over bridge with facility of lifts for safe access of advocates and litigants to High Court premises from the Ring Road along Kathajodi river.

Formalities for the commencement of the above projects except the project at (vi) i.e. new Annexe building (B+G+4) for the Bar have been completed. Though provision of funds for commencement of the said project has been made in the financial year 2022-23, the project is awaiting administrative approval of the State Government.

Apart from the above new projects, the committee also took up the work of oversight of the following projects:

- (i) Restoration and development of the High Court Museum;
- (ii) Modernization of all the branches of the office with new furniture and storage cabinets;
- (iii) Construction of canteen for the staff at the Record Room Digitization Centre (RRDC);
- (iv) Establishment of a Conservation Laboratory and a Centre in the Record Room Digitization Centre for conservation of fragile records and the records of historical importance;
- (v) Renovation of the compound wall of the High Court with gates of uniform design at all the entry points;
- (vi) Modifications in the ongoing construction of the new building of the High Court Guest House at Puri.

In order to strengthen the security surveillance, the Committee took up installation of new Door Frame Metal Detectors (DFMDs) at vulnerable entry points in addition to the existing baggage scanner. Biometric attendance devices were installed at 14 different locations in the High Court.

## 6. Appeal Committee for subordinate Courts

### Chairman

Justice Jaswant Singh

### Members

Dr. Justice B. R. Sarangi, Justice Arindam Sinha  
Justice G. Satapathy

During 2022, Justice S. Pujahari, Justice M.S. Sahoo and Justice Sashikanta Mishra were the members of this Committee till 23<sup>rd</sup> September, 2022, 20<sup>th</sup> June, 2022 and 26<sup>th</sup> October, 2022 Respectively.

The Committee has been constituted in terms of Rule 10 of Chapter II of the Rules of the High Court of Orissa, 1948. It deals with appeals and representations made on the administrative side by the employees of the District Judiciary against the orders passed by Disciplinary Authorities.

Rules 22 and 23 of the Orissa Civil Services (Classification, Control & Appeal) Rules, 1962 permits the non-gazetted staff of the District Judiciary to appeal against the penalties imposed on them by the Disciplinary Authorities and the orders passed by the Appointing Authority respectively.

At the beginning of 2022, 27 appeals were pending. During the year, 8 new appeals were filed and 15 appeals were disposed of by the Committee. At the end of the year, 20 appeals were pending.



## 7. Judicial Academy and Training Committee

### Patron in Chief

The Chief Justice

### Chairman

Justice Subhasis Talapatra

### Members

Dr. Justice S. K. Panigrahi, Justice Sashikanta Mishra, Justice V. Narasingh  
Justice G. Satapathy

During 2022, while Justice Jaswant Singh and Justice Biswajit Mohanty were the Chairmen of this Committee till 20<sup>th</sup> June, 2022 and 21<sup>st</sup> October, 2022 respectively. Justice S. Pujahari, Justice B. Rath and Justice S. K. Sahoo were the members till 20<sup>th</sup> June, 2022.

This Committee is entrusted with the responsibility of taking decisions regarding the training to be imparted to newly recruited judicial officers as well as continuing education to the serving ones. It finalizes the calendar of training workshops, seminars, conferences and events for the entire year. The committee elicits feedback from the participants at every workshop and training session.

A central focus of the committee is on the updation of the knowledge of judicial officers on judicial ethics, judicial skills, sensitization in the areas of gender, disabilities, social issues, poverty, access to justice and environment.

## 8. Information Technology (IT) and Artificial Intelligence (AI) Committee

### Chairman

Justice Subhasis Talapatra

### Members

Dr. Justice S. K. Panigrahi, Justice M. S. Raman  
Justice Chittaranjan Dash

During 2022, Justice B. Mohanty was the Chairman of the Committee till 21<sup>st</sup> October, 2022. While Justice S. K. Sahoo and Justice R. K. Pattanaik were the members of the Committee till 20<sup>th</sup> June, 2022, Justice B. P. Routray was a member of the Committee till 26<sup>th</sup> October, 2022.

This committee is assigned with the tasks of implementing:

- Various initiatives of the e-Committee of the Supreme Court of India under the e-Courts project;
- Information & Communication Technology (ICT) initiatives of the High Court of Orissa;
- AI related initiatives under the guidance of the AI Committee of the Supreme Court.

In 2022, the Committee took up setting up of e-Filing Stations, Virtual Court rooms and Paperless Courts in the District Courts apart from launching of e-Filing 3.0, creation of case law portal for judicial officers, additional network connectivity in every District Court complex, launching of e-Notification System in High Court, implementation of paperless office in the High Court by introducing Odisha Judicial Workflow Automation System (OJWAS).

The detailed description of the ICT activities undertaken under the supervision of the Committee is given in a separate chapter hereafter.

## 9. Rules Committee for all Rules (except under Section 123 CPC)

### Chairman

Justice Subhasis Talapatra

### Members

Justice B. P. Routray, Justice R. K. Pattanaik  
Justice A. K. Mohapatra

During 2022, Justice B. Mohanty was the Chairman of the Committee till 21<sup>st</sup> October, 2022.

This Committee, constituted in terms of Rule 7 of the Rules of the High Court of Orissa, 1948, considers proposals to annul, alter or add or to make new Rules for the High Court of Orissa.

In 2022, the Committee recommended amendments to various existing Rules and Schemes. Significant among the suggested amendments are the amendments in the Code of Criminal Procedure and the G.R.C.O. (Criminal) on the manner of recording of evidence in criminal trials pursuant to the judgment of the Supreme Court of India in *Suo Motu Writ (Crl) No. 1/2017*.

The other important recommendations include amendment of the High Court of Orissa (Appointment of Staff and Conditions of Service) Rules, 2019 for introducing relaxation of certain criteria for promotion of the High Court employees, amendment of the Scheme for appointment of Research Assistants, amendment of the G.R.C.O. (Civil) introducing the change of nomenclature of certain ministerial posts in District Courts, amendment of the Orissa High Court Right to Information Rules, 2005 for declaring the Chief Administrative Officers of District Courts as the State Public Information Officers and the senior most judicial officers as the First Appellate Authorities of the respective areas.

A list of the recommendations of the Committee is at **Appendix-B**.

## **10. Building Committee for Subordinate Courts**

### **Chairman**

Dr. Justice B. R. Sarangi

### **Members**

Justice R. K. Pattanaik, Justice B. P. Satapathy  
Justice G. Satapathy

During 2022, Justice K. R. Mohapatra and Dr. Justice S. K. Panigrahi were the members of the Committee till 20<sup>th</sup> June, 2022 and 26<sup>th</sup> October, 2022 respectively.

This Committee deals with matters relating to buildings and infrastructure of Subordinate Courts of the State. Besides, it deals with (a) Setting up of Commercial Courts, Commercial Division & Commercial Appellate Division, (b) Disposal of NDPS cases and (c) Progress of cases under the PC & PNDDT Act.

The Committee finalizes the Annual Action Plans under the State Sector Schemes and the Centrally Sponsored Schemes keeping in view the requirement of new Court Buildings and residential quarters for Judicial Officers and staff. The Committee also monitors the progress of the ongoing projects and procurement of suitable sites by different Judgeships for construction of new Court Buildings, residential quarters for Judicial Officers and staff.

During 2022, construction of 5 Court buildings i.e. the Court complex at Bhapur in Nayagarh District, the Court building of Gram Nyayalaya, Bhograi in Balasore District, the Court building of Gram Nyayalaya, Ghasipur in Keonjhar District, the Court building of J.M.F.C. and Gram Nyayalaya, Dhamnagar in Bhadrak District and the Court building of Civil Judge-cum-J.M.F.C., Chandbali in Bhadrak District were inaugurated. In the Court complex at Bhapur, a Transit House has also been opened. The list of completed Court buildings is at **Appendix-C**.



Apart from the above, construction of 4 B-type quarters, 2 B-1 type quarters, 6 C-type quarters, 4 D-type quarters for judicial officers were completed during the year in addition to 60 E-type quarters and 16 F-type quarters for District Court employees at Nayagrah and Bolangir. The list of completed residential quarters is at **Appendix-D**.

Besides, new projects such as 3 District Court buildings, 5 Civil Court buildings, 3 Transit Houses, 1 Bar Association Hall with Amenity Centre, 2 canteen-cum-Bar Association Halls within the Court complexes, 1 Record Room-cum-Malkhana in District Court building and 1 complex of 32 F-type staff quarters have been undertaken and foundation stones have been laid. The list of new projects undertaken is at **Appendix-E**.

In order to make the Court Rooms litigant-friendly and witness-friendly and bring uniformity in the shape, size and structure of the Court Halls in the District Judiciary throughout the State, the Building Committee for Sub-ordinate Courts have approved the plan and drawing, specification, design, colour of veneer of the Court Dais, Witness Box and Accused Dock implemented in the Court room of the Court of District and Session Judge, Kendrapara as the Model Plan. Further, the committee in the month of July, 2022 have directed all the Executing Agencies as well as the District Judges of the State to implement the same in all the Court rooms of the ongoing projects as well as the proposed new projects of the District Judiciary.

In order to address the long standing parking problem in and around the Civil Courts Building, Bhubaneswar and to ensure proper and adequate parking for all the stakeholders such as advocates,

advocate clerks, Government officials, litigants, Court employees etc. in the ongoing Judicial Court Complex at Bhubaneswar, the Building Committee for District Courts under the guidance of the Chief Justice has recommended the State Government for construction of multi-level basement parking therein. Accordingly, the State Government approved the said proposal while according Revised administrative approval to the project "Construction of Judicial Court Complex at Bhubaneswar" including the multi-level basement parking at an estimated cost of Rs. 158,71,27,500/- (Rupees One Fifty-Eight Crore Seventy-One Lakh Twenty-Seven Thousand and Five Hundred). Such project of multi-level parking has been designed with all modern facilities including vehicle ramps, staircase, lifts etc., which can accommodate parking of 439 four-wheelers and 475 of two-wheelers.

The upkeep and maintenance of the court buildings at District headquarters and outlying stations was a major concern for the District Judiciary because of inadequacy of staff and resources. It was decided to authorize the District Judges to engage agencies on outsourcing basis for the purpose. On the recommendation of the Committee, the State Government accorded concurrence and made provided funds. Modalities for engagement of agencies were circulated among the District Judges. Accordingly, upkeep, cleaning, maintenance and electrical services in all the court complexes of the State have been outsourced by the respective District Judges to private agencies with effect from 1<sup>st</sup> August, 2022. Consequently, the maintenance and cleanliness in the court complexes of the State has remarkably improved.

## 11. Departmental Promotion Committee for the staff of the High Court (other than Group-D)

### Chairman

Dr. Justice B. R. Sarangi

### Members

Dr. Justice S. K. Panigrahi, Justice R. K. Pattanaik, Justice Chittaranjan Dash

This Committee deals with promotion of the employees of the High Court other than the Group-D employees. Besides, it deals with recruitment of Assistant Section Officers (ASOs) in the High Court and all other recruitments except for which other Committees are constituted. It also deals with matters relating to Court Managers.

In 2022, the Committee took up promotion of various cadres and 108 employees were promoted to different cadres as indicated in **Appendix-F**. In comparison, 86 employees were promoted in 2017, 45 employees in 2018, 49 employees in 2019, 62 employees in 2020 and 72 employees in 2021.

The Committee initiated and completed the recruitment of Junior Stenographers in two phases. In the first phase 22 posts were advertised and 1012 applications were received. Out of them, 771 candidates appeared for the English test and 186 candidates qualified. 181 candidates appeared for the Computer Application Test and 114 candidates qualified. 112 candidates appeared in the skill test in stenography. Out of them 8 candidates finally qualified.

Likewise, 22 posts were advertised in the second phase and 707 applications were received. Out of them, 534 candidates appeared for the English test and 141 candidates qualified. 119 candidates appeared for the Computer Application test and all of

them qualified. 117 candidates appeared in the skill test in stenography. Out of them 7 candidates finally qualified.

The Committee took up selection for appointment as Court Managers from amongst the 31 Court Managers earlier appointed on contractual basis. In the suitability tests held in two phases, 11 candidates were selected and appointed.

The Committee also took up selection of the Law Reporter. 9 applications were received for the post of Law Reporter and 1 candidate was selected.

## 12. Examination Committee

### Chairman

Dr. Justice B. R. Sarangi

### Members

Justice K. R. Mohapatra, Justice B. P. Routray  
Justice R. K. Pattanaik, Justice V. Narasingh

Justice D. Dash was the member of the Committee till 20<sup>th</sup> June, 2022.

This Committee deals with examination for recruitment of Officers in the cadre of District Judge by way of direct recruitment from the Bar and the Limited Competitive Examination. Consequent upon directions of the Supreme Court of India in *Malik Mazhar Sultan v. U.P. Public Service Commission (C.A.No.1867/2006)* an Examination Cell has been constituted and is functioning from 17<sup>th</sup> August, 2021 onwards, under the supervision of Registrar (Examination), a Senior Judicial Officer in the cadre of District Judge who has been brought to the High Court on deputation. One Superintendent with two ASOs and one Class-IV staff are working in the Cell. Other recruitment examinations are also entrusted by the Chief Justice to the Cell from time to time.

For 19 vacancies of 2021 to be filled up in the cadre of District Judge by way of direct



recruitment from the Bar, 410 applications were received pursuant to the advertisement issued on 1<sup>st</sup> February, 2022. Of these 216 candidates appeared in the written test held on 3<sup>rd</sup> April, 2022 and only 4 candidates qualified for the viva voce held on 13<sup>th</sup> May, 2022. Out of the 4 candidates, only 1 could qualify in the viva voce test and was appointed. For 19 vacancies of 2020 to be filled up in the cadre of District Judge by way of Limited Competitive Examination, 68 applications were received. Of these 20 candidates appeared in the written test and 10 candidates qualified for the viva voce held on 12<sup>th</sup> May, 2022. Out of the 10 candidates, only 5 candidates could qualify in the viva voce test and were appointed.

### 13. Disposal Review Committee

#### Chairman

Justice Arindam Sinha

#### Members

Justice B. Rath, Justice S. K. Sahoo

Justice M. S. Sahoo, Justice S. K. Mishra

Justice G. Satapathy

During 2022, Justice S. Pujahari and Justice A. K. Mohapatra were the members of the

Committee till 23<sup>rd</sup> September, 2022 and 20<sup>th</sup> June, 2022 respectively.

This Committee has been constituted to come up with plausible case management and court management measures to tackle the issue of heavy pendency of cases in the District Courts. It also takes into account the relevant resolutions passed in this context by the Chief Justice's conference as well as the 'Arrear Eradication Scheme' suggested in the report of the Malimath Committee. The suggestions of this Committee are conveyed to the Judges of the High Court as well as the District Courts.

The percentage of disposal in comparison to previous year and the case clearance rate in both High Court and the District Courts have gone up in 2022. While the High Court recorded an increase of 29.86% disposal in 2022 in comparison to the previous year, the District Judiciary recorded an increase of 116.01%. Similarly, in 2022 the case clearance rate in High Court has increased to 130.94% and that in the District Judiciary has increased to 93.20%.

#### Disposal statistics of High Court for last 5 years

Year	Institution	Disposal	Comparative rate of increase in disposal with previous year (%)	Case Clearance Rate (%) (Disposal vis-à-vis institution)
2018	62,566	63,236	-15.45	101.07
2019	81,121	93,224	+47.42	114.91
2020	83,499	61,335	-34.20	73.86
2021	1,28,786	1,05,334	+71.73	81.67
2022	1,04,321	1,36,599	+29.86	130.94

### Disposal statistics of District Judiciary for last 5 years

Year	Institution	Disposal	Comparative rate of increase in disposal with previous year (%)	Case Clearance Rate (%) (Disposal vis-à-vis institution)
2018	3,97,074	2,54,746	-28.70	64.15
2019	4,10,782	2,96,535	+16.40	72.18
2020	2,84,805	1,26,077	-57.48	44.26
2021	4,34,810	2,38,588	+89.23	54.87
2022	5,52,948	5,15,392	+116.01	93.20

### 14. Committee for Family Court Matters

#### Chairman

Justice Arindam Sinha

#### Members

Justice S. Ratho, Justice V. Narasingh  
Justice M. S. Raman, Justice S. K. Mishra

During 2022, Justice S. Pujahari and Justice M.S. Sahoo were the members of the Committee till 23<sup>rd</sup> September, 2022 and 26<sup>th</sup> October, 2022 respectively.

This Committee was constituted in view of the directions issued by the Supreme Court of India, in a letter dated 9<sup>th</sup> June, 2016. The Registrar (Administration) is the Convenor of the Committee. A database of the cases pending in the Family Courts has been prepared under the supervision of this Committee.

This Committee oversees the various steps involved in the filling up of the vacancies in the posts of counselors in the Family Courts. An expert is associated in the interviews conducted of the shortlisted candidates by the Committee. The Select lists as recommended by the Committee are placed before the High Court for approval.

### 15. Mediation Monitoring Committee

#### Chairman

Justice Arindam Sinha

#### Members

Justice B. Rath, Justice K. R. Mohapatra  
Justice S. Ratho, Justice M. S. Sahoo

Justice C. R. Dash and Justice S. Talapatra were the Chairmen of the Committee till 20<sup>th</sup> June, 2022 and 26<sup>th</sup> June, 2022 respectively. Justice Arindam Sinha and Justice B. P. Routray were the members of the Committee till 20<sup>th</sup> June, 2022 and Justice S. K. Sahoo and Justice D. Dash were the members of the Committee till 26<sup>th</sup> June, 2022.

This Committee oversees the functioning of the High Court of Orissa Mediation Centre which was inaugurated on 3<sup>rd</sup> January, 2015 which has been catering to the needs of the litigating parties by bringing about settlement between them. As of date, 62 trained mediators have been empanelled.

A whole range of issues including family disputes, commercial matters, civil and criminal both in pending cases and at the pre-litigation stage are referred to the Mediation Center. The services of Child Psychologist



are also enlisted in select cases. Four well-equipped ICT-enabled mediation rooms have been made available for this purpose at a newly inaugurated state-of-the-art mediation Center.

In the year 2022, 187 mediation proceedings were registered, of which 146 proceedings were disposed of and 41 proceedings were pending at the end of the year. Out of the disposed of proceedings, in 37 proceedings mediation was successful and in 109 proceedings it was unsuccessful.

During the year 36 pre-litigation mediation proceedings were registered, out of which 17 were disposed of. At the end of the year, 19 such proceedings were pending. Out of the 17 disposed of cases, in 6 mediation was successful and in 4 mediation was unsuccessful

## 16. Arbitration Committee

### Chairman

Justice D. Dash

### Members

Justice S. K. Sahoo, Justice K. R. Mohapatra  
Mr. A. K. Parija, Advocate General, Odisha  
Mr. P. K. Padhi, Deputy Solicitor General of  
India for the High Court of Orissa

Mr. K. P. Mishra, President High Court Bar  
Association, Cuttack

Mr. Soumyak Patra, Coordinator, Arbitration  
Centre (Ex-Officio Member)

During 2022, Justice C. R. Dash and Justice S. Talapatra were the Chairmen of the Committee till 20<sup>th</sup> June, 2022 and 26<sup>th</sup> October, 2022 respectively and Justice Arindam Sinha was a member of the Committee till 20<sup>th</sup> June, 2022. Mr. J. Sahoo, Senior Advocate in his capacity as President of the High Court Bar association was a member of this Committee till 31<sup>st</sup> March, 2022.

This Committee oversees the functioning of the High Court of Orissa Arbitration Centre. It has on its panel of arbitrators, former Judges of the Supreme Court of India and the High Courts, former District Judges, Senior Advocates, Advocates, retired Chief Engineers and retired Bureaucrats. It has its own set of rules and a fee structure. Apart from cases referred to it by the High Court of Orissa and the District Courts under the Arbitration and Conciliation Act 1996, parties by mutual agreement can have their disputes resolved through arbitration at the Centre.

At the end of 2021, 150 arbitration cases were pending at the Centre. In 2022, 76 Arbitration cases were registered out of which 28 were either disposed of, dropped or terminated. During 2022, 35 awards were pronounced. At the end of the year, 198 cases were pending.

## 17. Juvenile Justice Committee

### Chairman

Justice D. Dash

### Members

Justice S. K. Sahoo, Justice S. Ratho

Justice A. K. Mohapatra, Justice M. S. Raman

This Committee was constituted in 2013 pursuant to the resolution adopted by the Chief Justices' Conference. The mandate of this Committee is to review and monitor the functioning of all juvenile justice institutions which would include the Juvenile Justice Boards (JJBs) and the Child Welfare Committees (CWCs) constituted under the Juvenile Justice (Care and Protection of the Children) Act, 2015. The Committee has been overseeing the efforts at reducing the pendency of cases before the JJBs and the CWCs. This Committee is convened by its Secretary who is a District Judge cadre

judicial officer brought on deputation to the High Court.

The Committee periodically convenes the meetings of all stakeholders. As per decision of the Committee, a one and half day Regional Consultation was held on 23<sup>rd</sup> April, 2022 in collaboration with Women and Child Development Department, Government of Odisha and the UNICEF under the aegis of the High Court of Orissa in the auditorium of the Odisha Judicial Academy.

### **18. RRDC and High Court Museum Committee**

#### **Chairman**

Justice D. Dash

#### **Members**

Dr. Justice S. K. Panigrahi

Justice M. S. Sahoo, Justice Sashikanta Mishra

Justice B. P. Satapathy, Justice S. K. Mishra

This Committee deals with matters relating to the Record Room Digitisation Centre (RRDC), digitisation, preservation and destruction of records of disposed of cases in the High Court and the District Courts. At present, the Committee is overseeing the functioning of the RRDC, the 4 District Court Digitization Centres (DCDCs) and the 10 District Court Digitization Hubs. It also oversees the functioning of the Centre for Judicial Archives and the High Court Museum.

The Committee undertook selection of Law Consultant and History Consultant for the Centre for Judicial Archives. 1 candidate was selected for the post of Law Consultant but no suitable candidate was found for the post of History Consultant. Process of selection for the post of History Consultant is underway.

The Committee also took up the recruitment of Law Researchers (Law & History). 2 posts

for the posts for Law Researchers (Law) and 2 posts for Law Researchers (History) were advertised, for which 55 applications and 6 applications respectively were received. Of these, 37 applications and 4 applications respectively were found valid. However, 32 candidates appeared for the posts of Law Researcher (Law) and 4 candidates for the posts of Law Researcher (History) and out of them, 11 candidates and 1 candidate respectively qualified in the written tests. All of them appeared in the Viva Voce test and out of them, 2 candidates for the post of Law Researcher (Law) and 1 candidate for the post of Law Researcher (History) were finally selected. However, the candidates selected for the post of Law Researcher (History) did not join and fresh selection process is underway.

### **19. State Court Management System (SCMS) Committee**

#### **Chairman**

Justice B. Rath

#### **Members**

Justice M. S. Sahoo, Justice Sashikanta Mishra  
Justice B. P. Satapathy, Registrar General  
Registrar (Administration), Principal Secretary  
Law Department, Government of Odisha  
District and Sessions Judge, Cuttack

During 2022, Justice S. Pujahari was the Chairman of the Committee till 20<sup>th</sup> June, 2022. This Committee was constituted in terms of the resolution adopted in the Chief Justices' Conference held in April, 2013. The mandate of this Committee is to oversee the implementation of the National plan for enhancing the quality, responsiveness and timeliness (QRT) of Courts of Orissa on uniform basis and to provide inputs and suggestions



to the National Court Management System (NCMS) Committee for the formulation and effective implementation of the national plan. This Committee is convened by its Secretary who is a District Judge cadre judicial officer brought on deputation to the High Court. The Committee issued directions regarding uploading data relating to 'Average Time taken for disposal of cases' by the High Court in the portal developed by the Ministry of Law and Justice, Government of India for the years 2018, 2019, 2020 and 2021.

## 20. Rules Committee under Section 123 C.P.C.

### Chairman

Justice B. Rath

### Members

Justice Sashikanta Mishra

Justice A. K. Mohapatra, Shri Goutam Misra  
Senior Advocate, Ms. Pami Rath, Advocate  
District and Sessions Judge, Cuttack

During 2022, Justice S. Pujahari was the Chairman and Justice K. R. Mohapatra was a member of the Committee till 20<sup>th</sup> June, 2022.

This Committee considers proposals to annul, alter or add to the Rules in the First Schedule of the CPC or to make new Rules. The Committee submits its recommendations in the form of a report to the High Court.

Pursuant to the judgment dated 22<sup>nd</sup> April, 2021 of the Supreme Court of India in *Rahul S Shah v. Jinendra Kumar Gandhi* and batch of cases, *Civil Appeal Nos.1659-1660 of 2021*, the Committee recommended significant amendments in the relevant provisions of the Code of Civil Procedure, 1908 to facilitate expeditious execution of decrees in respect of immovable properties. Relevant information is at **Appendix-B**.

## 21. High Court Library Committee

### Chairman

Justice S. K. Sahoo

### Members

Justice K. R. Mohapatra, Justice M. S. Sahoo  
Justice V. Narasingh, Justice S. K. Mishra

During 2022, Justice Arindam Sinha and Justice B. Mohanty were the Chairpersons of the Committee till 20<sup>th</sup> June, 2022 and 21<sup>st</sup> October, 2022 respectively. Justice Sashikanta Mishra and Justice B. Rath were the Members of the Committee till 20<sup>th</sup> June, 2022 and 26<sup>th</sup> October, 2022 respectively.

This Committee oversees the functioning of the Judges' Library in the High Court. It may also deal with the stocking of the books in the libraries for the District Courts. In 2022, students pursuing Masters Degree in Library and Information Science assisted in the reorganizing of the books in the High Court Judges Library.

Distribution of law books and additional copies of law journals continued in 2022 like the previous year. In 2022, law books were distributed to 2 newly opened Courts of Civil Judges-cum-JMFC. Additional copies of the law journals available in the Judges' library were distributed among 11 District Courts. As per the recommendation of the Committee, SCC Online journal was supplied to every judicial officer in the state. On the recommendation of the Committee, e-libraries for the Bar were opened in every one of the 30 District Court headquarters and two outlying stations at Koraput and Rourkela. A separate set of instructions to the District Judges was drawn up for operation of the e-Libraries (**Appendix-G**).

## 22. VWDC Committee

### Chairman

Justice S. K. Sahoo

### Members

Justice B. P. Routray, Justice R. K. Pattanaik

This Committee was formed as per the judgment dated 11<sup>th</sup> January, 2022 of the Supreme Court of India in *Smruti Tukaram Badade v. State of Maharashtra* in Miscellaneous Application No. 1852 of 2019 in Criminal Appeal No. 1101 of 2019 (2022 SCC Online SC 78). In compliance with the directions in the said judgment, the High Court of Orissa Vulnerable Witnesses Deposition Centres (VWDC) Scheme, 2022 (**Appendix-H**) was formulated by the High Court of Orissa which came into force with effect from 9<sup>th</sup> March, 2022. This Committee supervises and implements the directions of the Supreme Court in this regard and the matters connected therewith. In 2022, 28 VWDCs were set up, one in each District Court.

## 23. Annual Report Committee

### Chairman

Justice K. R. Mohapatra

### Members

Justice B. P. Routray, Justice Sashikanta Mishra  
Justice Chittaranjan Dash

This Committee monitors the work relating to the publication of the Annual Report. Two sub committees have been formed to assist the Committee, one for collection, collation and synchronization of data, having the Member Secretary, Odisha State Legal Services Authority, Registrar (Inspection), Registrar (Judicial) and the Special Officer (Special Cell) as its members and the other for designing, editing and printing of the report, having the Director, Odisha Judicial Academy,

Coordinator, High Court of Orissa Arbitration Centre, Registrar (Records) and the Central Project Coordinator as its members. The Annual Report of the High Court for the year 2021 was published under the supervision of the Committee.

## 24. Purchase Committee

### Chairman

Justice B.P. Routray

### Members

Justice S. Ratho, Justice A. K. Mohapatra  
Justice B. P. Satapathy, Justice M. S. Raman  
Justice Chittaranjan Dash

During 2022, Justice C.R. Dash was the Chairman of the Committee till 20<sup>th</sup> June, 2022. Then Justice S. Pujahari took over as the Chairman of the Committee and continued as such till 23<sup>rd</sup> September, 2022. Justice B. P. Routray was a member of the Committee till 20<sup>th</sup> June, 2022.

This Committee deals with matters relating to purchase of articles for the Court's Establishment in accordance with the prevailing Rules and Circulars of the Finance Department of the State Government. Besides, it also deals with matters relating to disposal of movable assets of the High Court. Apart from the routine purchases for the Court, the major activity of the Committee in 2022 has been introduction, selection and procurement of uniforms for different cadres of employees of the High Court as per the newly introduced dress code. Besides, the Committee decided to distribute good quality iron racks phased out from the High Court after modernization among the District Courts to meet their requirements.

## 25. RCM Committee

### Chairman

Dr. Justice S. K. Panigrahi

### Members

Justice B. P. Satapathy, Justice M. S. Raman,  
Justice S. K. Mishra

During 2022, Justice B. P. Routray was the Chairman of the Committee till 20<sup>th</sup> June, 2022.

The Committee deals with matters relating to reimbursement claims of medical expenses of sitting and former judges and employees of the High Court.

A total of Rs.1,23,70,000/- was reimbursed to the sitting and former judges and the employees against their reimbursement claims from 1<sup>st</sup> January, 2022 to 31<sup>st</sup> December, 2022.

## 26. Internal Complaints Committee

### Presiding Officer

Miss Justice S. Ratho

### Members

Saswata Patnaik, Advocate  
Mr. Badrinarayana Nanda, In-charge Director  
Odisha Judicial Academy  
Sangyansubala Bhuyan, Assistant Registrar  
(Judicial)

During 2022, Shri Gouri Shankar Satapathy (as he then was) and Smt. Nibedita Mishra, ASR & OC were members of the Committee till 12<sup>th</sup> August, and 26<sup>th</sup> October, 2022 respectively.

This Committee has been constituted under Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013. In the year 2022, no complaint was received. At present, no complaint is pending.

## 27. Committee to consider all promotional matters from Group-D cadre to the entry level Group-C Cadre

### Members

Registrar (Vigilance), Registrar (Inspection)

This Committee deals with matters relating to promotion of Group-D employees to

the entry-level Group-C posts i.e., Treasury Sarkar, Jamadar, Duftary, Attender, Cook-cum-Caretaker and Mali-cum-Chowkidar. In the year 2022, the cases of 75 Group-D employees were considered and 35 employees got promoted to the aforesaid entry-level Group-C posts.

Sl. No.	Name of the post for which promotion was considered	No. of Vacancies	No. of candidates in zone of consideration	No. of candidates promoted
1.	Jamadar	19	Group-D Cadre-75	19
2.	Duftary	12		12
3.	Attender	1		1
4.	Cook-cum-Caretaker	2		2
5.	Mali-cum-Chowkidar	1		1
	<b>Total</b>	<b>35</b>	<b>75</b>	<b>35</b>



## Registry

The Rules of the High Court of Orissa, 1948 lays down the procedures for functioning of the different branches of the Court. The High Court has two major wings: Judicial and Administrative. The administrative wing otherwise known as the Registry of the High Court has different departments further divided into various sections manned by High Court officials. The organizational structure is depicted on the facing page. It is headed by

the Registrar General of the High Court. The Registrar General oversees the functioning of every wing.

In 2022, several posts in different cadres were created by the State Government on the recommendation of the High Court. Details of the posts created in the year are at **Appendix-I**.

There are different categories of officers and staff in the Registry;

**1** Judicial Officers from the Odisha Superior Judicial Service and Odisha Judicial Service;

**2** Ministerial officers and staff (Additional Registrar, Joint Registrars, Additional Deputy Registrars, Assistant Registrars, Superintendents, Section Officers, Assistant Section Officers, Court Managers, System Analyst, Programmer, Peripatetic Stamp Reporters, Judicial Indexer, Translators, Librarian and Technical Assistants, staff of Typist, Copyist and Diarist cadres, staff of Driver cadres, Treasury Sarkar, Jamadars, Attenders, Duftaries, Cook-cum-Caretaker, Mali-cum-Chowkidar and Group-D staff);

**3** Secretarial officers and staff (Additional Registrar-cum-Principal Secretary, Joint Registrar-cum-Principal Secretary, Additional Deputy Registrars-cum-Additional Principal Secretaries, Assistant Registrars-cum-Senior Secretaries, Secretaries, Personal Assistants, Senior Stenographers and Junior Stenographers);

**4** Government officers and staff on deputation (Senior Technical Director and Scientist (F) of National Informatics Centre, the Chief Accounts Officer, the Medical Officers (Allopathy) and staff of the High Court Dispensary, the Medical Officer (Homeopathy) and staff of the High Court Homeopathy Dispensary and Physiotherapist;

**5** Technical personnel for e-Courts project (Senior System Officer, System Officers and System Assistants);

**6** Persons holding tenure posts in the High Court (Law Reporter, Research Assistants and Assistant Editor)

The Judicial Officers and the Ministerial Officers supervise the functioning of the offices in the Registry. The Secretarial officers and staff are attached to the Chief Justice and the Judges. The officers working on





**The Registrar General and the Officers of the Registry**

*(Sitting from L-R)*

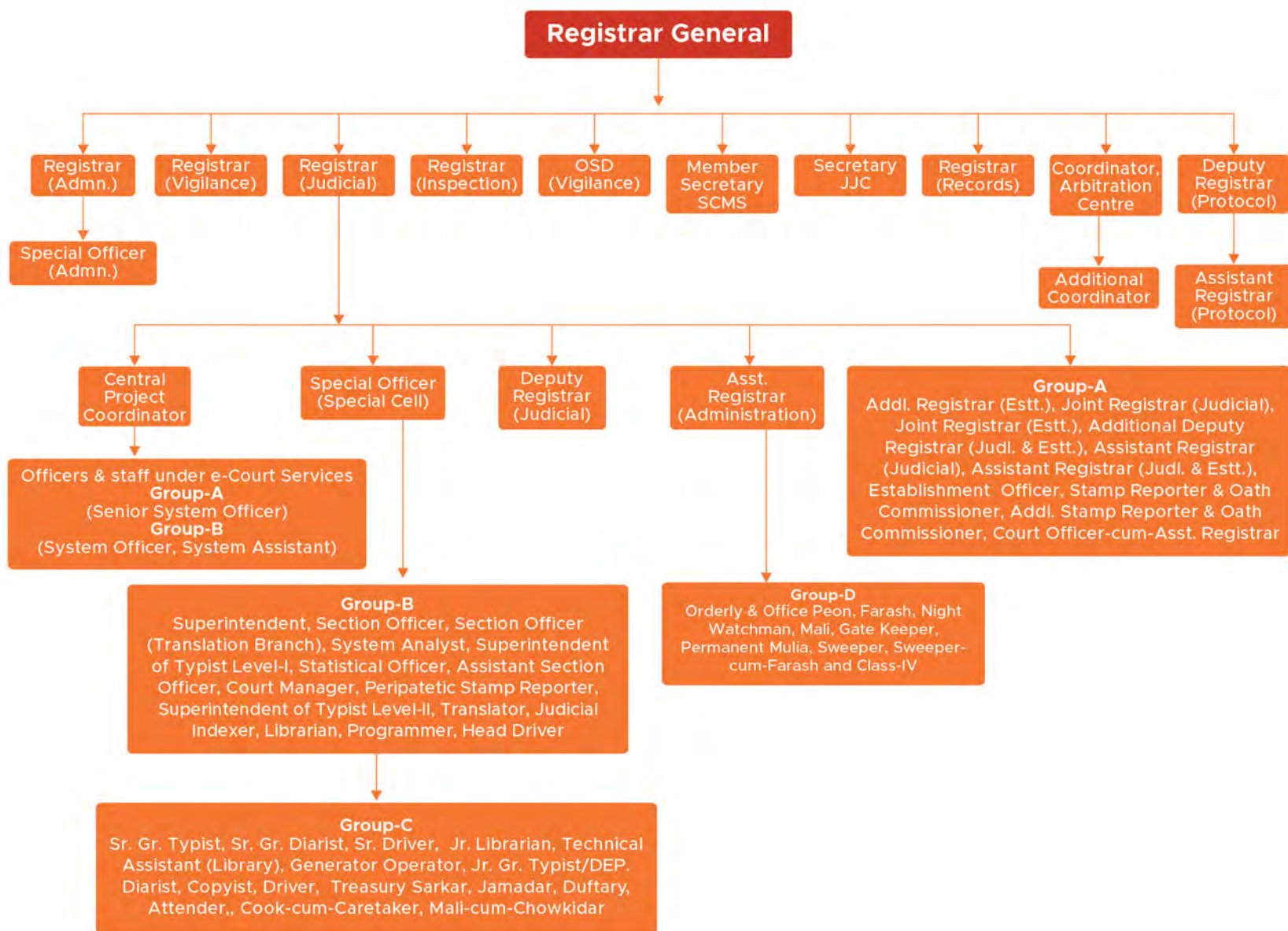
*Abhilash Senapati, Registrar (Records), Suman Kumar Mishra, Registrar (Judicial), Pravakar Ganthia, Registrar (Inspection) Pratap Kumar Patra, Registrar General, Akhil Kumar Paschimakabat, Registrar (Vigilance) and Soumyak Patra, Coordinator, Arbitration Centre*

*(Standing from L-R)*

*Satya Prakash Ray Choudhury, Central Project Coordinator, Amaresh Nayak, Deputy Registrar (Judicial), Chhayakanta Dash, Special Officer (Special Cell), Ashish Pattanaik, Additional Co-ordinator, Arbitration Centre, Debasish Mohanty, Deputy Registrar (Administration & Protocol), Asish Kumar Sahoo Assistant Registrar (Administration), Anand Dash, Joint Registrar-cum-Principal Secretary and Santosh Kumar Dash Ray, OSD (Vigilance)*



## Organizational structure of the Registry





deputation discharge specific functions – the Senior Technical Director and Scientist (F), National Informatics Centre (NIC) look after implementation of the e-Courts projects through NIC, the Chief Accounts Officer deputed by the Finance Department of the Government looks after the budget of District Judiciary and acts as a Financial Advisor, the Medical Officer (Allopathy) and the Medical Officer (Homeopathy), both deputed by the Health Department of the Government manage the High Court Dispensary and Homeopathy Dispensary respectively.

The Government of Odisha vide notification No.18142 dated 1<sup>st</sup> June, 2022 created 23 posts in different cadres in the establishment of High Court of Orissa for effective monitoring of the

Record Room Digitization Centre (RRDC). Out of the 23 posts, 1 post of Registrar, Records is for a Judicial Officer in the cadre of District judge, 1 post of Deputy registrar, records is for a Judicial Officer in the cadre of Civil judge and 2 posts of Assistant Registrar are for Judicial Officers in the cadre of Civil judge.

Apart from the above there are persons holding tenure posts in Centre for Judicial Archives established on 1<sup>st</sup> May, 2022 for archival and research of old records and functioning under aegis of the High Court. The Centre is headed by OSD-cum-Director who is assisted by Law Consultant, History Consultant, Law Researchers (Law) and Law Researchers (History).



*Corridor leading to Chief Justice's Chamber*





*Judges' library*

### ***Incumbency of Judicial Officers in the Registry during 2022***

Sl. No.	Name of the post	Name of the officer	Tenure
1	Registrar General	Chittaranjan Dash	Till 12 <sup>th</sup> August, 2022
		Dr. Bhagyalaxmi Rath (in-charge)	From 12 <sup>th</sup> August, 2022 to 7 <sup>th</sup> September, 2022
		Pratap Kumar Patra	From 7 <sup>th</sup> September, 2022
2.	Registrar (Administration)	Biswajit Mohanty (in-charge)	Till 7 <sup>th</sup> February, 2022
		Dr. Bhagyalaxmi Rath	From 7 <sup>th</sup> February, 2022 to 7 <sup>th</sup> September, 2022
		Akhil Kumar Paschimakabat (in-charge)	From 7 <sup>th</sup> September, 2022
3	Registrar (Vigilance)	Biswajit Mohanty	Till 19 <sup>th</sup> April, 2022
		Akhil Kumar Paschimakabat	From 19 <sup>th</sup> April, 2022
4	Officer on Special Duty (Vigilance)	Sitikantha Samal	Till 7 <sup>th</sup> February, 2022
		Santosh Kumar Dash Ray	From 7 <sup>th</sup> February, 2022
5	Registrar (Inspection)	Pravakar Ganthia	For the entire year
6	Coordinator, Arbitration Centre	Soumyak Patra	For the entire year
7	Registrar (Judicial)	Suman Kumar Mishra	For the entire year
8	Member-Secretary, State Court Management System (SCMS)	Sitikantha Samal (in-charge)	Till 7 <sup>th</sup> February, 2022
		Pravakar Ganthia (in-charge)	From 7 <sup>th</sup> February, 2022
9	Secretary, Juvenile Justice Committee (JJC)	Biswajit Mohanty (in-charge)	Till 19 <sup>th</sup> April, 2022
		Akhil Kumar Paschimakabat (in-charge)	From 19 <sup>th</sup> April, 2022 to 4 <sup>th</sup> July, 2022
		Abhilash Senapati (in-charge)	From 4 <sup>th</sup> July, 2022



Sl. No.	Name of the post	Name of the officer	Tenure
10	Registrar (Records) (Newly created)	Abhilash Senapati	From 4 <sup>th</sup> July, 2022
11	Special Officer (Administration)	Santosh Kumar Dash Ray (in-charge)	For the entire year
12	Central Project Coordinator	Anupam Patra	Till 15 <sup>th</sup> May, 2022
		Satya Prakash Ray Choudhury	From 15 <sup>th</sup> May, 2022
13	Deputy Registrar (Protocol)	Debasish Mohanty	For the entire year
14	Special Officer (Special Cell)	Chhayakanta Dash	For the entire year
15	Deputy Registrar (Judicial)	Satya Prakash Ray Choudhury	Till 15 <sup>th</sup> May, 2022
		Amaresh Nayak	From 15 <sup>th</sup> May, 2022
16	Addl. Co-ordinator, Arbitration Centre	Sukumar Mohapatra	Till 12 <sup>th</sup> January, 2022
		Chhayakanta Dash (in-charge)	From 12 <sup>th</sup> January, 2022 to 17 <sup>th</sup> January, 2022
		Ashish Pattanaik	From 17 <sup>th</sup> January, 2022
17	Assistant Registrar (Administration)	Ashish Kumar Sahoo	For the entire year

## Job description of Judicial Officers in the Registry

Officer	Job Description
Registrar General	<ul style="list-style-type: none"> <li>oversees the work of all other officers of the Registry and handles the important matters entrusted by the Chief Justice;</li> <li>represents the High Court in administrative and judicial matters before the Supreme Court;</li> <li>handles the correspondences with the Supreme Court, the other High Courts, the Central Government, the State Government and the other authorities;</li> <li>guides the Deputy Registrar (Protocol) in protocol matters.</li> </ul>
Registrar (Vigilance)	<ul style="list-style-type: none"> <li>deals with allegations and enquiries against Judicial Officers as well as the staff of the District Judiciary;</li> <li>deals with matters relating to the infrastructure of the District Judiciary, in respect of which he coordinates with the concerned committee constituted by the Chief Justice as well as with the District Courts and the executing agencies like PWD;</li> <li>deals with the matters relating to rules of procedure applicable to the District Judiciary.</li> </ul>
Registrar (Judicial)	<ul style="list-style-type: none"> <li>discharges the functions assigned to him in the High Court Rules;</li> <li>deals with matters relating to budget and accounts, buildings and vehicles of the High Court;</li> <li>deals with the matters relating to service of the employees of the High Court;</li> <li>coordinates and sends replies to questions relating to the High Court raised in the Parliament and State Legislative Assembly;</li> <li>supervise the Administrative and Judicial Sections of the High Court function under his supervision;</li> <li>also deals with the matters relating to framing of rules governing procedures meant for the High Court.</li> </ul>
Registrar (Administration)	<ul style="list-style-type: none"> <li>deals with matters relating to the District Judiciary and Judicial Officers except allegations, enquiries, buildings and statistics;</li> <li>places before the Committee the appeals filed by staff of the District Judiciary against orders passed in administrative side in matters concerning their service;</li> <li>looks after matters relating to the District Judges' Conference;</li> <li>coordinates and sends replies to Parliament questions and Assembly questions with regard to District Judiciary;</li> <li>deals with the budget, the allotment of funds and the accounts relating to District Judiciary.</li> </ul>



Officer	Job Description
Registrar (Inspection)	<ul style="list-style-type: none"> <li>coordinates the inspection of Civil and Criminal Courts of District Judiciary by the Chief Justice and Judges;</li> <li>looks after compilation of statements and returns received by the Statistics section of the High Court from District Judiciary;</li> <li>is designated as the COVID Compliance Officer and looking after the COVID Care Centres of the High Court meant for the Judges, the Officers and Staff;</li> <li>is designated by the Chief Justice as Nodal Officer for Digitization of Records.</li> </ul>
Coordinator, Arbitration Centre	<ul style="list-style-type: none"> <li>supervises the functioning of the Arbitration Centre and Mediation Centre of the High Court;</li> <li>coordinates the sittings of Arbitrators and Mediators for Arbitration and Mediation proceedings;</li> <li>is in-charge of the Judges' Library, discharges the functions of the Secretary, High Court Legal Services Committee.</li> </ul>
Officer on Special Duty (Vigilance)	<ul style="list-style-type: none"> <li>assists the Registrar (Vigilance) in matters relating to allegations and enquiries;</li> <li>deals with the files regarding sanction of leave of the Judicial Officers;</li> <li>is designated as Registrar (Examination) for dealing with examinations relating to recruitment to posts of the various cadres of the High Court.</li> </ul>
Secretary, Juvenile Justice Committee	<ul style="list-style-type: none"> <li>assists the High Court Juvenile Justice Committee (HCJJC);</li> <li>provides information on issues pertaining to children and issues communications on behalf of the HCJJC to concerned departments;</li> <li>organizes conferences, seminars and consultations on the direction of HCJJC, drafts its agenda, prepares minutes and coordinates with the concerned departments;</li> <li>maintains necessary information which may be relevant for HCJJC for its robust functioning.</li> </ul>
Member Secretary, State Court Management System	<ul style="list-style-type: none"> <li>deals with preparation of vision document for the High Court and the District Courts and preparation of action plan for disposal of old cases.</li> <li>places information about the District Court Management Systems before the SCMS Committee constituted for the purpose and ensures implementation of the policies formulated from time to time.</li> </ul>

Officer	Job Description
Registrar (Records)	<ul style="list-style-type: none"> <li>oversees the functioning of RRDC including movement of legacy records to Record Rooms, digitization and verification of legacy records and shredding of digitized records;</li> <li>oversees functioning of the District Court Digitization Hubs (DCDHs);</li> <li>oversees the judicial history project in coordination with Centre for Judicial Archives of Odisha and the other libraries and archives;</li> <li>oversees the High Court Museum.</li> </ul>
Central Project Coordinator	<ul style="list-style-type: none"> <li>looks after computerization of offices in the High Court and the District Judiciary under e-Courts Project;</li> <li>oversees the digitization of records and e-filing of the cases;</li> <li>oversees the functions of virtual hearing in the High Court and the District Courts;</li> <li>provides technical assistance for the functioning of the High Court and District Courts.</li> </ul>
Special Officer (Administration)	<ul style="list-style-type: none"> <li>oversees the functioning of Appointment Section of the Court which deals with matters relating to service of the Judicial Officers;</li> <li>works under the supervision of Registrar (Administration) and assists in matters relating to District Judges' Conference;</li> <li>assists Registrar (Judicial) in matters concerning appointment of the Law Reporter and in-service matters of the Gazetted officers of the Ministerial and Secretarial cadres in the Registry.</li> </ul>
Special Officer (Special Cell)	<ul style="list-style-type: none"> <li>oversees the preparation of the budget and accounts and deals with the service matters of the Gazetted and Non-gazetted employees of the High Court, except the Ministerial Officers;</li> <li>looks after matters relating to the Rules, General Rules, Circulars and orders of the High Court relating to the practice and procedure of the District Judiciary;</li> <li>issue General letters, circulars and other instructions of general nature on behalf of the High Court.</li> </ul>
Deputy Registrar (Judicial)	<ul style="list-style-type: none"> <li>discharges judicial functions delegated by the Registrar (Judicial) in accordance with Rule-2 of Chapter-V of the Rules of the High Court of Orissa, 1948 subject to the orders of the Chief Justice;</li> <li>oversees the work of sections in Judicial Department of the High Court including the filing section and the listing section;</li> <li>oversees preparation of the Cause Lists for Benches of the High Court according to the roster of assignment decided by the Chief Justice.</li> </ul>

Officer	Job Description
Deputy Registrar (Protocol)	<ul style="list-style-type: none"> <li>coordinates the tours and visits of the Chief Justice and Judges of the High Court of Orissa within and outside the State;</li> <li>coordinates the tours and visits to Odisha of the Chief Justices and Judges of other High Courts as well as of the Supreme Court to Odisha;</li> <li>coordinates with the State Government and the Police authorities in the matter of security of the High Court premises and the bungalows of the Chief Justice and the Judges apart from their security during tours;</li> <li>deals with telephone connections of the High Court building and residential buildings of the Court.</li> </ul>
Additional Coordinator, Arbitration Centre	<ul style="list-style-type: none"> <li>deals with the matters relating to Arbitration and Mediation Centre;</li> <li>deals with Appeals filed by the staff of the District Judiciary against orders passed on administrative side in matters concerning their service;</li> <li>sends replies to questions relating to the High Court raised in the Parliament and the State Legislative Assembly;</li> <li>deals with matters relating to buildings of District Judiciary and such other matters as are entrusted to him by the Chief Justice;</li> <li>is designated as Nodal Officer for records received from the State Administrative Tribunal after its abolition</li> </ul>
Assistant Registrar (Administration)	<ul style="list-style-type: none"> <li>is in-charge of matters relating to buildings of the High Court, Court Guest House at Cuttack, Community Centre and the High Court Museum;</li> <li>looks after the Class-IV establishment, matters relating to the vehicles, stock and stores of the High Court.</li> </ul>

1 post of Registrar (Records) in the cadre of District Judge, 1 post of Deputy Registrar (Records) in the cadre of Senior Civil Judge and 2 posts of Assistant Registrar (Records) in the cadre of Civil Judge along with support staff were newly created for Record Room Digitization Centre (RRDC).

The sanctioned strength, present sanctioned strength, working strength and vacancy of the posts presently coming under all Group cadres are indicated in **Appendix-J**.

### **Overall Staff Strength of the High Court**

Category of Post	Sanctioned strength	Working strength
Working strength	50	23
Group 'B' (Non-Gazetted)	227	193
Group 'C'	615	367
Group 'D'	386	250
	274	97
<b>TOTAL</b>	<b>1552</b>	<b>930</b>





*Entrance to the New Building of the High Court*



## Infrastructure

### Judicial Infrastructure Management Agency (JIMA)

Adequate and quality infrastructure has a direct impact on the administration of justice. The physical infrastructure such as the buildings of the court complexes and residential quarters of Judges and staff form an important component of the judicial infrastructure. A dedicated technical agency

viz., Judicial Infrastructure Management Agency (JIMA), the first of its kind in the country, was established by the Government of Odisha in consultation with the High Court of Orissa for effective management of judicial infrastructure. It was inaugurated on 12<sup>th</sup> October, 2022 in the premises of the office of Chief Construction Engineer, Cuttack R & B Circle at Cantonment Road, Cuttack.



*Office of the Judicial Infrastructure Management Agency*

The idea of a separate entity to deal with judicial infrastructure was mooted in the conference of Chief Justices held in April, 2022 in New Delhi. JIMA could be seen as a response by the Government of Odisha at the state level to this need. The function of JIMA is to exclusively manage the construction and maintenance of all the judicial infrastructure of the State. JIMA, comprising Engineers and Architects,

acts as the Nodal Agency in the matter of monitoring physical and financial status of the infrastructure projects of the State Judiciary. It looks after the project preparation, drawing and design, architecture, procurement, award of contracts, engineering supervision for new projects and also takes care of maintenance and renovation of the existing projects and the annual maintenance contracts.

### Construction of 550 staff quarters

Employees of the High Court have been facing difficulty due to inadequate staff quarters as compared to staff strength. On the request of High Court, the State Government has made available 10 acres land in Sector-13, CDA, Cuttack for construction of staff quarters. The High Court Building Committee approved the plan and estimate of Rs.284,29,02,000/- prepared by the Works Department for the construction of 550 flats (200 D-type flats and 350 E-type flats) in 12 towers. The project is expected to be completed in 18 months' time.

### Construction of new residential buildings for Judges

The number of residential buildings available at the disposal of the High Court is not commensurate with its working strength. Further, the sanctioned strength of the Judges has been increased from 27 to 33. Accordingly, the High Court Building Committee has approved the plan for construction of 7 new residential buildings at the sites available. The total cost of the projects is Rs.27,39,98,000/-. The State Government is expected to make provision of funds in the Supplementary budget 2022-23 for the commencement of the work.

### Modernization of the offices of the High Court

With a view to ensuring a congenial working atmosphere, modernization of the various branches of the High Court had been taken up in 2021. While some of them were refurbished in 2021, almost all the remaining

administrative and judicial sections of the Court were refurbished in 2022. The employees have been provided with work stations, comfortable chairs along with cupboards and storage cabinets. To ensure timely attendance, biometric devices were installed at 14 different locations of the office.



*Renovated Appointment Section*



### Conference Hall in the RRDC

A room in the first floor of the RRDC has been

converted into a conference room for holding of periodic meetings of the Committee.



*Conference Room at the RRDC*

### Research Stations in the RRDC

In order to facilitate research, separate stations have been set up in the ground floor of the RRDC as depicted in the photograph below.



*Research Station at the RRDC*

### Conservation laboratory in RRDC

For conservation of the old fragile records a laboratory has been set up in the ground

floor of the RRDC with all the necessary infrastructure required for a conservation laboratory.



*Conservation Laboratory in the RRDC*

### Construction of covered parking in front of the new building

In order to obviate the problem of parking of vehicles, decision was taken to make better use of the existing parking area in front of the Court's new building by way of construction of covered parking place so that the basement could be used as parking and the roof top could be used for holding official meetings and functions. The High Court Building Committee approved the plan and estimate of Rs. 3,25,07,400/-. Provision of funds has been made in the supplementary budget 2022-23 for commencement of work.

### Construction of a new annexe building for the High Court Bar

In 2019, the State Government had accorded administrative approval to the construction of a new annexe building (B+G+6) for the Bar as well as for the records in the High

Court premises at an estimated cost of Rs.82,82,57,552/-. However, the execution of the work could not be taken up due to delay in finalization of the tender, followed by the outbreak of the Covid-19 pandemic.

With the disposed of records of the High Court being kept in a separate Record Room Digitization Centre, it was felt that the entire Annexe Building could now be used exclusively for the Bar. Accordingly, the plan was revised for the construction of an annexe building of reduced size (B+G+4) at an estimated cost of Rs. 33,94,96,000/-. Though provision of funds for commencement of the new Annexe building (B+G+4) has been made in the financial year 2022-23, the project is awaiting administrative approval of the State Government.

### Construction of foot over bridge with facility of lifts



Most of the vehicles come to the High Court and adjacent Government offices from the ring road along the Kathajodi river. During court hours, the ring road and the approach road to the High Court remain overcrowded. In order to facilitate safe access of advocates and litigants to the High Court premises from the Ring Road along the Kathajodi river, a decision was taken to construct a foot over bridge with facility of lifts. The plan and estimate amounting to Rs.5,57,65,119/- for the project has been approved by the High Court Building Committee. The State Government has provided funds for the commencement of the work during the current financial year.

### **Restoration and development of the High Court Museum**

In 2017, a museum had been set up in the previous residence of the Chief Justice within the Barabati Fort Complex. In order to make the museum more educative and reflective of

the judicial system in Odisha, a decision was taken to revamp it. The restoration work has been entrusted to INTACH, an organization having expertise in the field of conservation. The estimated cost of the restoration project is Rs.3,18,95,394/-. Apart from artifacts and documents of historical importance related to the judiciary, a virtual walk through of the High Court will be displayed in the museum. Besides, a mini architectural model of the High Court will be exhibited and the century old records will be digitally displayed. Beautification of the existing pond and improvement of the peripheral area around the premises has also been planned.

### **Renovation of the compound wall of High Court**

The compound wall of the High Court was due for renovation. With the rise in the height of the adjoining roads, it was necessary to raise the height of the Court's compound wall.



*Record Room Digitization Centre*





Video Conference Hall in the new building of the High Court



## ICT Initiatives

### Paperless Courts

On 17<sup>th</sup> September, 2022, Justice Uday Umesh Lalit, the Chief Justice of India, in the presence of Dr. Justice D.Y. Chandrachud, Judge, Supreme Court of India and Chairperson, e-Committee and Justice M.R. Shah, Judge, Supreme Court of India and the Chief Justice and the companion judges of the High Court of Orissa inaugurated 34 Paperless Courts in the District Courts of Odisha. Odisha is perhaps

the first state in the country where there are Paperless Courts in all the districts. The aim is to increase this number progressively so that every court in Odisha is enabled to become paperless by the end of 2023. In the High Court, after the first Paperless Court, being the court of the Chief Justice was inaugurated on 11<sup>th</sup> September 2021, 10 benches of the High Court at present are functioning in paperless mode. The IT and AI Committee is also functioning in paperless mode.



*Inauguration of paperless Courts in the Districts*



*Paperless Courts in Cuttack (left) and Bhubaneswar (right)*

### **Inauguration of Virtual Courtrooms**

Having put in place the policy framework and sensitized Judicial Officers to resort to video conferencing for hearing of cases, it was decided to provide fully equipped, state of the art Virtual Courtrooms in other districts as well. This would allow the Presiding Officers to conduct hybrid hearings as is being done in the High Court, where the witnesses would be able to depose from remote locations convenient to them without compromising the facility of seamless examination, cross-examination by Advocates or interaction with the Court.

On 1<sup>st</sup> November, 2021, Dr. Justice D.Y. Chandrachud, Judge, Supreme Court of India and Chairperson, e-Committee had inaugurated two Model Virtual Courtrooms in the District Court complexes of Angul and Nayagarh.

As of 31<sup>st</sup> December, 2022, Virtual Courtrooms have been established in the District Courts of Angul, Balangir, Bargarh, Bhadrak, Boudh, Cuttack, Deogarh, Gajapati, Ganjam, Jagatsinghpur, Jharsuguda, Kalahandi, Kandhamal, Kendrapada, Khurda, Koraput, Malkangiri, Nabarangpur, Nayagarh, Nuapada, Puri, Sambalpur, Sonapur, Sundargarh.

### **Inauguration of Vulnerable Witnesses Deposition Centres**

The Vulnerable Witnesses Deposition Centres (VWDCs) serve the primary purpose of enabling the witnesses in trials, both criminal and civil, to depose without any fear or intimidation. A VWDC comprises three rooms: a virtual court room with electronic devices and cameras, including a screened chamber for the accused, a separate witness waiting room and a witness deposition room from where the witness can speak without having to physically faced the accused.

Following a visit by Sri Biswajit Mohanty, the then Registrar (Admn.) to Delhi in October, 2021 to study the VWDCs in operation in the District Courts there; on pilot basis 2 VWDCs were inaugurated in the District Courts of Bhadrak and Malkangiri on 18<sup>th</sup> and 28<sup>th</sup> December, 2021 respectively. Following the directions issued by the Supreme Court of India for setting up of VWDCs in its judgment dated 11<sup>th</sup> January, 2022 in *Smruti Tukaram Badade v. State of Maharashtra* (2022) SCC Online SC 78, 13 VWDCs were inaugurated by Dr. Justice D.Y. Chandrachud on 2<sup>nd</sup> April, 2022. On 14<sup>th</sup> May, 2022, Justice L. Nageswara Rao, Judge, Supreme Court of India in presence of



Ms. Justice Gita Mittal, former Chief Justice of the Jammu and Kashmir High Court and Chairperson, Vulnerable Witness Committee and the Chief Justice & Judges of High Court

of Orissa inaugurated the Vulnerable Witness Deposition Centres and Virtual Courtrooms in District Court complexes. There are VWDCs in every district of the State of Odisha.



### Paperless Office (OJWAS)

On 2<sup>nd</sup> April, 2022, Dr. Justice D.Y. Chandrachud, Judge, Supreme Court of India in the presence of Chief Justice & Hon'ble Judges of High Court of Orissa inaugurated Paperless Office i.e. the Odisha Judicial Workflow Automation System (OJWAS). This meant that the office of the Chief Justice on the admin side is able to operate entirely in a paperless mode dispensing with offices of the Registry having to be physically present with files for approval of the Chief Justice. Further

this facility can be accessed by the Chief Justice and offices of the Registry from their respective workplaces and residences. This happens on a Virtual Private Network with utmost security. This has resulted in speeding of the decision-making process in a significant way. TATA Consultancy Services (TCS) who had devised the Paperless Office system in the Secretariat of the Odisha Government have adapted and customized it as OJWAS for the High Court.

### District Court Digitization Centres

On 30<sup>th</sup> April, 2021, 4 District Court Digitization Centres (DCDCs) were established at Cuttack, Sambalpur, Ganjam and Balasore, Following

the completion of one year of DCDCs was celebrated on 30<sup>th</sup> April, 2022. As of 31<sup>st</sup> December, 2022, the total of 6,61,204 case records have been scanned and 5,43,165 case records have been uploaded.



*Celebration on completion of 1 Year of DCDC at Balasore and Ganjam at Berhampur*

More than a year has elapsed since establishment of 4 DCDC's and the statistics reveal considerable progress in digitization

of records. The statistics of scanning and digitization at the DCDCs from 1<sup>st</sup> January, 2022 till 30<sup>th</sup> November 2022 stand as follows:

Cumulative Status Report of Scanning & Digitization in the 4 DCDCs (As on 31.12.2022)								
Name of The District Court	Case Records Received From Record Roomcourt	Case Records Scanned	Pages Scanned	Case Records Verified Without Error	Pages Verified Without Error	Case Records Uploaded In The Server	Pages Uploaded In The Server	Case Records Returned To Record Room After Uploading
Cuttack	2,07,850	2,01,858	1,53,62,590	1,63,834	86,91,426	1,59,505	84,87,477	1,60,260
Balasore	1,77,971	1,77,867	1,54,65,769	1,46,805	90,32,651	1,46,066	90,07,377	1,41,301
Ganjam	1,77,644	1,77,627	1,60,22,578	1,70,923	1,22,68,582	1,66,826	1,20,33,118	1,70,923
Sambalpur	1,03,852	1,03,852	1,35,27,359	1,00,834	88,76,703	70,768	79,79,939	85,324
<b>Grand Total</b>	<b>6,67,317</b>	<b>6,61,204</b>	<b>6,03,78,296</b>	<b>5,82,396</b>	<b>3,88,69,362</b>	<b>5,43,165</b>	<b>3,75,07,911</b>	<b>5,57,808</b>

### District Court Digitization Hubs

Following on the experience of 4 DCDCs, it was decided to expand on the activities of digitization of District Court records. Instead of opening a separate DCDC in each of the remaining District, it was decided, keeping in

view the number of records to be digitized, single court hubs in 10 locations which would cover each of the neighbouring districts. Thus, it was decided to have District Court Digitization Hubs (DCDHs) at the following locations:

Name of the DCDC	Hubs
Cuttack	Khordha, Puri, Jagatsinghpur
Ganjam at Berhampur	Gajapati
Sambalpur	Bargarh, Deogarh
Angul	Dhenkanal
Bhadrak	Jajpur, Kendrapara
Jharsuguda	Sundargarh
Kalahandi at Bhawanipatna	Nuapada
Koraput at Jeypore	Nabarangpur, Rayagada
Nayagarh	Kandhamal
Sonepur	Balangir, Boudh

On 12<sup>th</sup> December, 2022, Dr. Justice D. Y. Chandrachud, Chief Justice of India had inaugurated the above 10 District Court Digitization Hubs in the Judgeships of Angul, Bhadrak, Jharsuguda, Kalahandi, Keonjhar,

Koraput, Malkangiri, Mayurbhanj, Nayagarh and Sonepur in virtual mode in the presence of Chief Justice and the Judges of the High Court of Orissa.





### One Year of the Record Room Digitization Centre

The completion of the first year of the Record Room Digitization Centre (RRDC) of the High Court of Orissa was celebrated on 9<sup>th</sup> September, 2022 .

Dr. Justice D.Y. Chandrachud, Judge, Supreme Court of India and Chairperson, e-Committee had inaugurated the RRDC on 11<sup>th</sup> September, 2021. The High Court was fortunate to have him also present on the occasion of completion of one year of the RRDC. The event

was attended by Justice R.C. Chavan, Vice-Chairman, e-Committee. Also present were the Chief Justice, the Chairman and Members of the RRDC Committee, all the Judges of the High Court, Dr. R. Balakrishnan, the Chief Advisor to the Chief Minister of Odisha, Shri Suresh Chandra Mohapatra, Chief Secretary, Government of Odisha, Shri Prasanna Kumar Parhi, Assistant Solicitor General of India for the High Court of Orissa and Office Bearers of the High Court Bar Association. All employees of the RRDC whose contribution have been instrumental for its success also attended the function.



*Completion of one year of RRDC*

As on 31<sup>st</sup> December, 2022, 6,54,243 records have been verified and 3,08,015 records have been shredded at the RRDC. The statistical

snapshot of the work of the RRDC as on 31<sup>st</sup> December, 2022 is set out below:

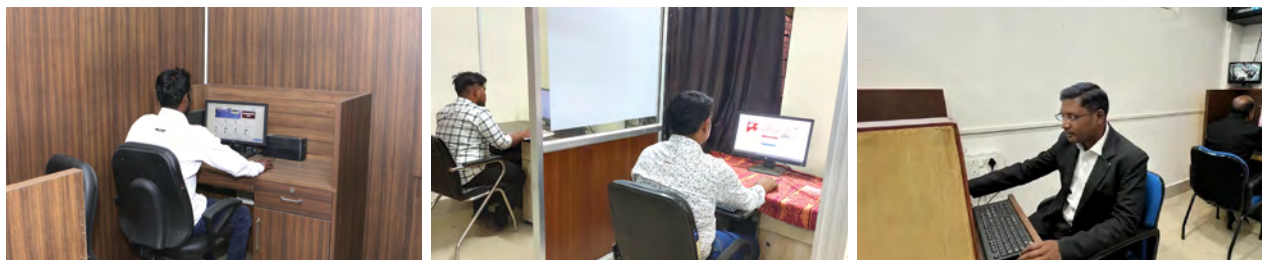
### Cumulative Status Report of Scanning and Digitization at the R.R.D.C. (As on 31.12.2022)

Type of Scanned Case Records	Case Records Received From Record Room	Case Records Scanned	Pages Scanned	Case Records Verified Without Error	Pages Verified Without Error	Case Records Uploaded in the Server	Pages Up-loaded in the Server	Case Records Returned to Record Room after Uploading	Records Shredded
Civil	2,58,086	2,57,789	1,85,45,364	3,04,764*	1,24,18,386	2,56,032	1,00,06,899	2,41,922	1,44,864
Criminal	4,12,704	4,08,795	1,36,19,105	4,00,243	78,60,030	3,74,364	73,45,859	3,88,306	2,10,824
<b>Grand Total</b>	<b>6,70,790</b>	<b>6,66,584</b>	<b>3,21,64,469</b>	<b>7,05,007*</b>	<b>2,02,78,416</b>	<b>6,30,396</b>	<b>1,73,52,758</b>	<b>6,30,228</b>	<b>3,55,688</b>

### E-libraries

In a first-of-its-kind initiative, the High Court of Orissa decided to provide e-library facilities to the lawyers practising in the 30 District Courts and 2 outlying stations of Koraput and Rourkela. This involves setting up of the e-library rooms with 2 personal computers and with network connectivity, free subscriptions

of All India Reporter (AIR), Manupatra for one year and providing an updatable CD ROM of the Orissa Law Times (OLT). A set of instructions have been drawn up for operation of the e-libraries (**Appendix G**). This facility was inaugurated on 22<sup>nd</sup> March, 2022 by the Chief Justice in the presence of the Judges of the High Court in virtual mode.



(Left to Right) e-libraries at Angul, Deogarh and Koraput

### SCC Online facility for Judicial Officers and Case Law Portal

On 21<sup>st</sup> February, 2022, everyone of the 782 Judicial Officers in Odisha was provided of the SCC Online facility. This gives them access to the various judgements of the Tribunals, High Courts and Supreme Court of India as well as statutes, bills in parliament and articles.

On 13<sup>th</sup> May, 2022, an online web platform called the Case Law Portal (CLP) was launched for enabling Judicial Officers to share and read case law summaries and commentaries. CLPs have been made accessible at an IP address. Access is permitted only to Judicial Officers who are assigned unique login credentials.

The SCC Online facility provided to Judicial Officers enables accessing and reading any case law for the above purpose. Judicial Officers have been encouraged to form study circles to share the knowledge gleaned from accessing these facilities.

### e-filing 3.0

The e-Committee of the Supreme Court has provided an upgraded e-filing 3.0 software which is being adopted by the High Court for the purposes of e-filing of cases in the High Court and District Courts. The e-filing 3.0 version was inaugurated on 2<sup>nd</sup> April 2022 by Dr. Justice D.Y. Chandrachud in the presence of the Chief Justice and judges of the High Court.

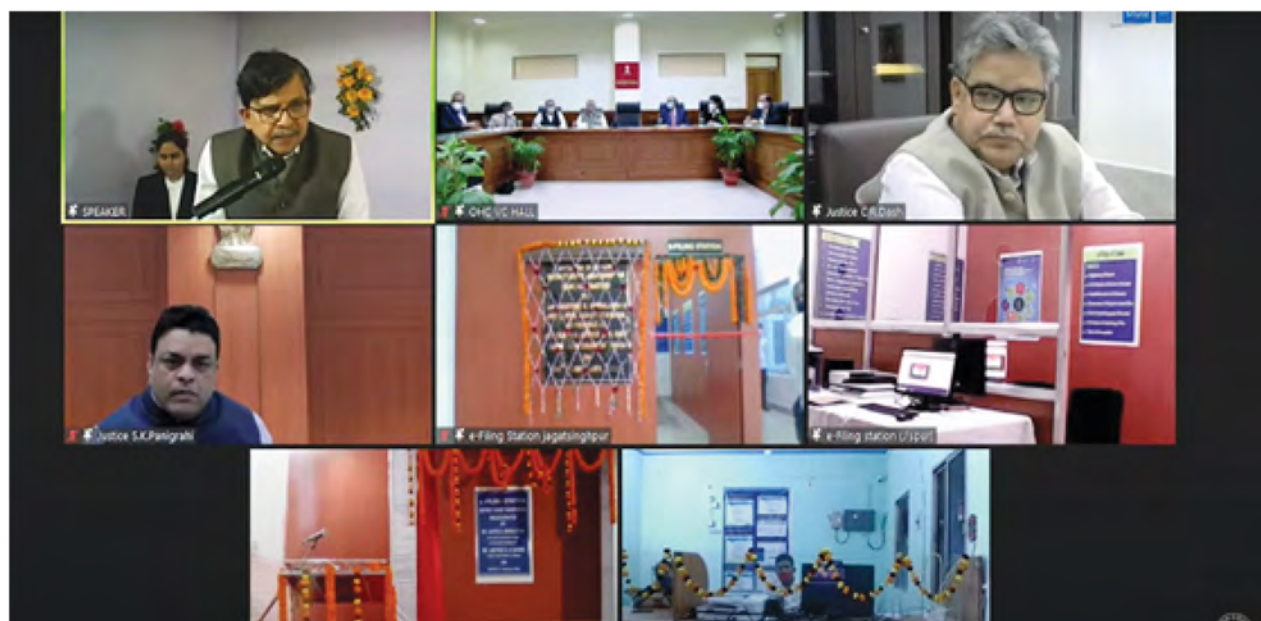




### Inauguration of e-Filing Stations and Helpdesks

On 4<sup>th</sup> February, 2022, District level e-Filing Stations and Helpdesks were inaugurated at

the District Court complexes at Jagatsinghpur and Kendrapara, besides launching of Hands-on Training Programme for e-filing and e-services for the Advocates in both districts.



On 5<sup>th</sup> March, 2022, three e-filing stations at the District Court complexes of Sundargarh, Deogarh and the Civil Court complex at Rourkela were inaugurated. On 20<sup>th</sup> March, 2022, another e-filing station in the District Court complex at Gajapati was inaugurated.

The e-filing stations and helpdesks are equipped with high power scanners, all-in-one computers with two-way screens,

accessibility to the internet and a dedicated operator trained in e-filing to provide e-filing related assistance to Advocates and litigants. Judicial Officer- Master Trainers travelled from various parts of the State to impart hands-on training on usage of e-Services such as e-Filing, e-Payment of Court Fee etc to trainee Advocates of Rourkela, Deogarh and Gajapati.

## Parallel And Additional Network Connectivity

Adoption of technology centric processes such as Video Conferencing to conduct Court proceeding, electronic filing of cases, timely litigation data sharing through customized web portals, making Court's orders and judgments available to litigants in electronic form etc. have helped the Courts in keeping the Constitutional guarantee of access to justice alive during the pandemic. It has underscored the need for reliable and continuous network connectivities.

Accordingly, a parallel network connectivity (MPLS VPN Connectivity) from the RailTel Corporation of India through the State

Government has been implemented in the High Court as well as in the 30 District Courts. This facility was launched on 14<sup>th</sup> May, 2022.

## Launch of e-Notification System

On 3<sup>rd</sup> January, 2022, the High Court launched the e-Notification System (e-NS). This is one of the application modules used for generation and circulation of Court's notices and notifications in electronic mode for the purpose of convenient and speedy circulation of such notices and notifications and to reduce usage of paper. This module is available within the Court's secure network and can be accessed through devices connected through such network.





## ***Lawyer of the Year 2021 Award***

This Award was instituted by the High Court to encourage lawyers practising in the District Courts in the age group of 30-40 years to adhere to ethical principles by resisting the temptations of short cuts to progress in the profession. The idea was to identify lawyers committed to staying the entire course of the case till its disposal by participating fully at every stage of the trial. The draft scheme was circulated on 28<sup>th</sup> April, 2022 to the District Court Bar Associations and outlying stations for their comments and suggestions. The final 'Scheme for promising lawyer of the year' was announced on 19<sup>th</sup> May, 2022 by the High Court after approval by the Full Court.

### ***(Appendix-K)***

The lawyers in each District (including the outlying stations in the District) were selected on the basis of their work for the entire calendar year of 2021 evaluated by the jury consisting of the District Judge, the Chief Judicial Magistrate and 3 Senior Members of the Bar from the respective districts having experience of 20 years or more. The criteria for selection were the number of cases handled by the lawyer independently during a year

and the number of judgments and final orders in contested cases handled independently by the lawyer. It was also stipulated that the lawyer should have conducted at least one civil or criminal trial independently during the year.

The Committee of judges of the High Court, constituted by the Chief Justice, examined the recommendations of the jury in each district and placed its views before the Chief Justice. Through this process, one lawyer each from 22 districts was found suitable to be bestowed with the 'Lawyer of the year' award 2021.

On the Foundation Day of the High Court on 26<sup>th</sup> July, 2022, the award, comprising a certificate, a memento, and a collection of books worth Rs,10,000/- was presented to the 22 lawyers in the presence of the Chief Justice and Judges of the High Court and Shri Gopal Subramaniam, Senior Advocate, Supreme Court of India and former Solicitor General of India and former Chairman, Bar Council of India. Shri Subramaniam delivered a keynote address on the occasion.



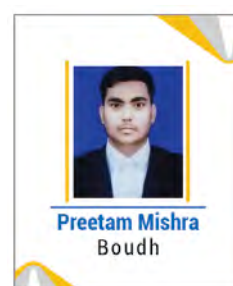
*Shri Gopal Subramaniam, Senior Advocate, Supreme Court of India delivering the keynote address.  
(Right) The Chief Justice felicitating a lawyer*



*The 22 Lawyers of the Year 2021 with the Chief Justice and Judges on 26<sup>th</sup> July, 2022*



## Winners of the Lawyer of the Year 2021 Award



## Activities

### Felicitation of employees on completion of 25 years of service and retirement

Welfare of the employees and acknowledgement of their contribution to the institution is important. On 1<sup>st</sup> February, 2022, the High Court of Orissa initiated the move of felicitating its employees who have completed service of 25 years and above.

169 employees of the High Court having completed service of 25 years and above in various cadres were felicitated by the Chief Justice and the Judges in a function held at the Odisha Judicial Academy. Thereafter, 10 more employees were felicitated in 2022 for completion of 25 years of service. Besides, 30 employees have been felicitated during the year on their retirement.

### Employees who retired in 2022

- Bailochan Das (Addl. Dy. Registrar (J & E))
- Basudev Sahu (Peon)
- Babaji Charan Sahoo (Peon)
- Arun Kumar Senapati (Superintendent)
- Niranjana Shukla (Addl. Dy. Registrar (J & E))
- Sufala Das (A.S.R. & O.C)
- Manmath Kumar Swain (Addl. Dy. Registrar (J & E))
- Dharendra Kumar Mohapatra (A.S.O.)
- Mahendra Kumar Routray (Superintendent)
- Biswambar Das (Peon)
- Tarani Nayak (S.R. & O.C)
- Prabhat Kumar Samal (Asst. Registrar (Judicial))
- Bijay Gopal Behera
- Ratnakar Pradhan
- Bhikari Charan Barik (A.S.O.)
- Pankajini Pattnaik
- Debadutta Maharana (A.D.R.-cum-Addl. Principal Secretary)
- Nasim Khan (Head Driver)
- Priyadarshi Nayak (Addl. Dy. Registrar (J & E))
- Jayanta Kumar Sen (Asst. Registrar (J & E))
- Nibedita Mishra (Asst. Registrar (Judicial))
- Sushil Kumar Das (Asst. Registrar (Judicial))
- Baikuntha Charan Khadanga (Jamadar)
- Nabaghan Mallick
- Sk Bachan Alli
- Rama Chandra Mishra
- Sankhali Charan Nayak



*Felicitating of the staff by the Chief Justice and the Judges of the High Court*





*The 169 employees with the Chief Justice and Judges on 1<sup>st</sup> February, 2022*

### **Visit by students to the High Court, Aain Seva Bhawan and Odisha Judicial Academy**

In 2022, school children from 11 institutions visited the High Court, the Aain Seva Bhawan and the Odisha Judicial Academy. These included specially-abled children. Advocates Bibhu Prasad Tripathy, Pami Rath, Sailaja Nandan Das, Saswat Acharya, Kajal Sahoo, Venugopal Mohapatra, Siddharth Sankar Padhy, Jagdish Biswal, Sagarika Sahoo, Iswar Mohanty and Aurolina Pal interacted with the visiting students.

On 30<sup>th</sup> April, 2022, there was a visit by twenty-five speech and hearing-impaired children from Shri Shri Beleswar High School for the DEAF, Cuttack along with their teachers. Shri Aditya Abhijit Nayak, teacher of the school acted as interpreter using sign language. On 27<sup>th</sup> May, 2022, there was a visit by visually challenged children from the Odisha Association for the Blind, Bhubaneswar along with their instructors. The instructors along with the High Court officials explained various aspects of judicial functioning to the children.



*(Left) Sign language instructor, Shri Nayak explaining the swearing in ceremony to the speech and hearing impaired children in the New Conference Hall of the High Court on 30<sup>th</sup> April, 2022*

*(Right) Visually challenged children in the chamber of the Chief Justice in the new building on 27<sup>th</sup> May, 2022*



## Consultation on Juvenile Justice

To explore the possible ways of effective implementation of the Juvenile Justice (Care and Protection) Act, 2015 a one and half day Regional Consultation was organized by Women and Child Development Department, Government of Odisha and the UNICEF under the aegis of the High Court of Orissa in the auditorium of Odisha Judicial Academy on 23<sup>rd</sup> April, 2022. Five states of the Eastern Region viz. West Bengal, Jharkhand, Bihar, Chhatisgarh and Odisha and the stakeholders of the juvenile justice sector participated in the Consultation. Justice S. Ravindra Bhat, Chairperson, Juvenile Justice Committee, Supreme Court of India inaugurated the Consultation in the presence of Justice Madan B. Lokur, Former Judge, Supreme Court of India and Chairpersons of Juvenile Justice Committees of the five participating states.

Ms. Soledad Herrero, Chief of Child Protection, UNICEF India Country Office, Dr. Monika Nielsen, Chief of Field Office, UNICEF Odisha were the key speakers on the occasion.

The Consultation was attended by the Principal Magistrates of the Juvenile Justice Boards (JJBs), Presiding Officers of the Children Courts and officials dealing with Child Protection in all the five participating states including the Chairpersons of the Child Welfare Committees, representatives of SJPU, the DCPOs and Superintendents of Observation Homes of Odisha. Representatives from NCPCR, Government of India, OSCPS, W & CD and UNICEF, NGOs, NLUO, Centre for Child Rights and members from Civil Society Organizations also attended the Consultation.

The objective of the Consultation was to explore the possible ways of effective implementation of the Juvenile Justice (Care and Protection) Act, 2015. Various aspects

such as rehabilitation of distressed children, reformation of children in conflict with the law, revamping of observation homes, improving the child care institutions and measures to be taken for mental health of children were discussed in the Consultation.

## Observance of Lawyers' Day, 2022 involving all the Bar Associations of the State

The 174<sup>th</sup> birth anniversary of Madhusudan Das was commemorated in the High Court on 28<sup>th</sup> April, 2022 in a novel way. The Chief Justice and Judges of the High Court, the Advocate General, Assistant Solicitor General of India for High Court of Orissa, President and office bearers of High Court Bar Association, office bearers of all the Bar Associations of the state, District Judges and Judicial Officers of all the 30 districts of the state participated in the event in physical and virtual mode. Referring to the commitment of Madhu babu towards the downtrodden, the Chief Justice urged the young lawyers to inculcate values. Chief Justice announced in the function the High Court's decision of felicitating young promising lawyers from all the 30 districts on the Foundation Day of the High Court.

## Play staged by High Court employees

The employees of High Court staged a Odia play "Bhakta Salabega". The Chief Justice and Judges as well as the family members of the employees and retired employees were present on the occasion. The play was organized by the Orissa High Court Cultural Society.

## Painting Competition for school children

On 12<sup>th</sup> November 2022, at each of the 30 district headquarters, school children of classes VII to X participated in a painting competition on the theme 'Nature and Wildlife.' 1,477 children participated. 3 best paintings were selected in each district and from among them 12 were

selected by a Committee of Judges to be displayed in the 'Judicial Calendar of Odisha, 2023'. This calendar was released on 18th December 2022 at the OJA in the presence of 3 eminent artists, Shri Prafulla Mohanti, a most eminent writer and painter of Odisha, Prof. Dr. Priyambada Mohanty Hejmadi, the former Vice Chancellor, Sambalpur University, eminent scientist and Shri Rabi Rath, eminent

painter. The Chief Justice, the judges of the High Court, former judges including former Justice I. Mahanty, former Chief Justice Tripura High Court were present in the occasion. The names of the 12 children who were felicitated with a certificate of appreciation, a medal, cash of Rs.2,000/- and books and articles worth Rs.1,000/- are:

1. Sibasish Das, Kendrapara
2. Shubha Ommkar Rath, Kalahandi
3. Ashirbad Das, Angul
4. Sai Arpita Mohapatra, Jajpur
5. Anindita Dash, Nuapada
6. Shruti Priyadarshini, Balasore
7. Omm Prasad Swain, Dhenkanal
8. Rinku Sisa, Malkangiri
9. Manasmita Behera, Bhadrak
10. Aju Sabar, Gajapati
11. Sonali Lenka, Angul
12. Priyanshi Pattanaik, Bargarh



*Chief Justice & Judges releasing the Judicial Calendar on 18<sup>th</sup> December, 2022*



*Chief Justice, Judges, Advocate General, Deputy Solicitor General of India, Senior Advocates, President of Bar Association, Central and State Governments' counsel and Bar members*

## Obituary

In 2022, 2 former Chief Justices of India, 2 former Judges of the Supreme Court of India, 1 former Judge of the High Court of Orissa, 1 former Chief Minister of Odisha, and 42 lawyers of the High Court Bar Association passed away. The High Court paid homage to each of them by holding Full Court references.

### Former Chief Justices of India

- Justice R.C. Lahoti
- Justice K.N. Singh

### Former Judges of the Supreme Court of India

- Justice S. Ranganathan
- Justice Deba Priya Mohapatra

### Former Judge of the High Court of Orissa

- Justice Purna Chandra Mishra

### Former Chief Minister of Odisha

- Hemanand Biswal

### Members of the High Court Bar Association

- Biswajeet Jena
- Purna Chandra Moharana
- Srustidhar Samal
- Pabitra Kumar Pradhan
- Soumen Bose
- Nimain Charan Pattanayak
- Saroj Kumar Patra
- Krushnapada Bhaumik
- Renubala Mishra
- Jagyaseni Panda
- Saroj Kumar Behera
- Aruna Kumar Mishra
- Umesh Pradhan
- Suryakanta Sanganageria
- Benudhar Sahoo
- Satyabrat Dash
- Narayan Dash

- Bhabani Shankar Mishra
- Sashikanta Behera
- Shishir Kumar Jogania
- Atal Bihari Mohanty
- Mahadev Mishra
- Gouranga Bihari Jena
- Jishu Krishna Kanungo
- Susil Kumar Mohapatra
- Nigamananda Goswamy
- Padmanava Mohapatra
- Bikram Keshari Pani
- Rashmirekha Sarangi
- Prasanna Kumar Das
- Tapat Kumar Chowdhury
- Bata Krushna Panda
- Dr. Ashoc Banerjee
- Archana Sahoo
- Ashok Patnaik
- Sukumar Devdas
- Ranjan Kumar Mohanty
- Jiban Krushna Patnaik
- Sarat Kumar Padhi
- Napoleon Sahani
- Kamal Kumar Samal
- Biswajit Mohanty

The 3 Judicial Officers and 2 employees of High Court of Orissa also passed away.

### Judicial Officers of the State

- Shibane Acharya
- Smaranika Pradhan
- Subash Kumar Bihari

### Employees of the High Court of Orissa

- Laxmidhar Mallick, Duftary
- Smt. Manisha Biswal, System Officer, Bhubaneswar



## 75<sup>th</sup> Year Celebrations

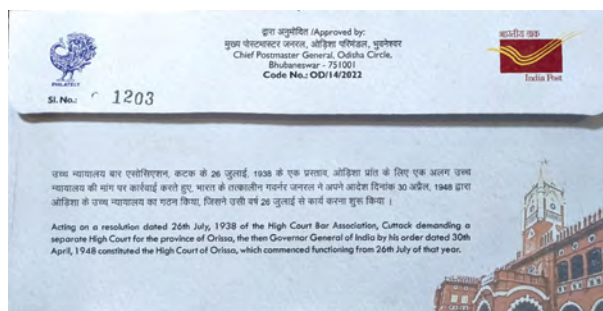
26<sup>th</sup> July, 2022 marks the beginning of the 75<sup>th</sup> year of the establishment of the High Court. To commemorate the occasion, an event was held in the High Court premises at 9:15am in the morning on that day by the Chief Justice and the senior judges of the High Court, garlanding the statue of the 1st Chief Justice of the High Court, Justice Bira Kishore Ray. The buildings of the High Court and the allied institutions were illuminated on the occasion.

### Release of Special Postal Cover for the High Court

To mark the 75<sup>th</sup> year of the High Court, a Special Postal Cover and cancellation cachet along with 6 Picture Post Cards featuring the High Court of Orissa was released by the Chief Justice of India on 17<sup>th</sup> September, 2022 at the Odisha Judicial Academy.



Release of Special Postal Cover celebrating the 75<sup>th</sup> Year of the High Court of Orissa



A postal cover





*The illuminated High Court Complex on the Foundation Day, 26<sup>th</sup> July, 2022*



### **High Court pavilion at the Baliyatra**

As a part of the celebration of the 75<sup>th</sup> year of the establishment of the High Court and in order to create awareness amongst the general public about the functioning of the judiciary, for the first time, a High Court Pavilion was set up at the Baliyatra this year. It was inaugurated on 8th November, 2022 by the Chief Justice.

The facade of the entrance to the pavilion and the pavilion itself was a replica of the heritage building of the High Court. Help Desks of the

High Court, the Odisha Judicial Academy, the Odisha State Legal Services Authority, the Odisha State Bar Council and the UNICEF (Odisha Chapter) were set up in the pavilion to answer the queries of the visitors. Employees of the said organizations, advocates and law students acted as volunteers. Information on how to become lawyers and judges, case statistics of the state judiciary and the citizen centric services available in the High Court and the OSLSA were disseminated to the visitors. Children from various schools visited the pavilion.



*(Left) Replica of the Heritage building of the High Court gate at the entrance to the Pavillion in the Baliyatra. (Right) School children visiting the High Court pavilion*

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### **Sports Events for the employees**

As part of the celebration of the 75<sup>th</sup> year of the High Court, a series of sports events were organized for the employees of the High

Court beginning with badminton, chess and carrom events on 10<sup>th</sup> December 2022 at the Jawaharlal Nehru Indoor stadium in Cuttack. The cricket tournament was held between 24<sup>th</sup> and 27<sup>th</sup> December 2022.



## Accounts

In every financial year, the establishment of the High Court of Orissa places demands before the State Government for making necessary provision of funds under two different heads of account: Infrastructure Development and Administrative Expenses.

Infrastructure Development covers construction of new Court and office buildings, residential bungalows, quarters, Court Guest Houses repair and renovation of such buildings and up-gradation of the existing infrastructure. Pursuant to a proposal by the High Court, the State Government makes provision of funds for such projects on annual basis. The buildings meant for Courts, Offices and Guest Houses are classified as “Non-Residential Buildings”. The bungalows and quarters are classified as “Residential Buildings”.

During the financial year 2022-23, funds of Rs.37,29,34,000/- were made available by the State Government for new construction of non-residential projects and Rs.5,11,31,000/- for repair and renovation of residential buildings of Judges, officers and staff. While Rs.34,41,13,000/- has been released in favour of the executing agencies by the end of December, 2022, the entire amount for new construction, repair and renovation has been released in their favour for execution of work. The remaining amount will be utilized within the financial year 2022-23. The projects undertaken during the year have

been indicated in a separate chapter titled ‘Infrastructure’.

Administrative expenditure includes salary and emoluments, transport expenses, leave travel concession, electricity, water charges, telephone, motor vehicles, other contingencies, upgradation of computer facilities and sumptuary allowance etc. Pursuant to a proposal submitted by the High Court, the State Government makes provision of funds in the above sub-heads under the major head ‘Administrative Expenditure for Establishment’.

During the financial year 2022-23, there was budgetary provision of Rs.182,11,93,000/- towards administrative expenses of the High Court, out of which a sum of Rs.93,05,71,000/- was spent under different heads from 1<sup>st</sup> April, 2022 to 31<sup>st</sup> December, 2022. Rs.68,45,03,000/- towards salaries and allowances, Rs.2,86,42,000/- towards electricity charges, Rs.6,05,59,000/- towards telephone charges, Rs.1,91,71,000/- towards purchase and maintenance of vehicles, Rs.5,26,37,000/- towards computer upgradation and maintenance and Rs.8,50,59,000/- towards other contingencies.

The details of the budgetary allocation and expenditure for infrastructure development and establishment of the High Court and the Budget of the High Court have been indicated in a tabular form at **Appendix-L**.

## Art Work in the High Court

Odisha is rich in art and crafts. There is a great variety of exquisite and creative sculptures, paintings and works of art and craft all across Odisha in its 30 districts. It was felt necessary that the High Court of Orissa should reflect the art and craft of Odisha, by way of honouring the creativity of its artists. The attempt, even if in a small way, is to showcase the artistic and cultural heritage of Odisha.

Works of art and craft were commissioned by the High Court of Orissa from a range of artists in the various districts. The idea was to have one representative sample from each of the districts in Odisha.

The High Court has been fortunate to have Sri Sudarshan Sahoo, a Padma Vibhushan awardee master sculptor contribute two of

his sculptures to the collection.

Photographs of the works of art in the High Court building, including the chamber of the Chief Justice, the corridor leading to it, in the Conference Hall where Full Court meetings are held, and in the Judge's Lounge, are depicted below.

Sri Avinash Khemka, who pursues photography with a passion and his team of talented photographers have captured the exquisite beauty of these works of art, craft and sculpture.

It is proposed to showcase similar works of art in similar fashion in the new District court complexes that are being constructed as well as in the existing ones.



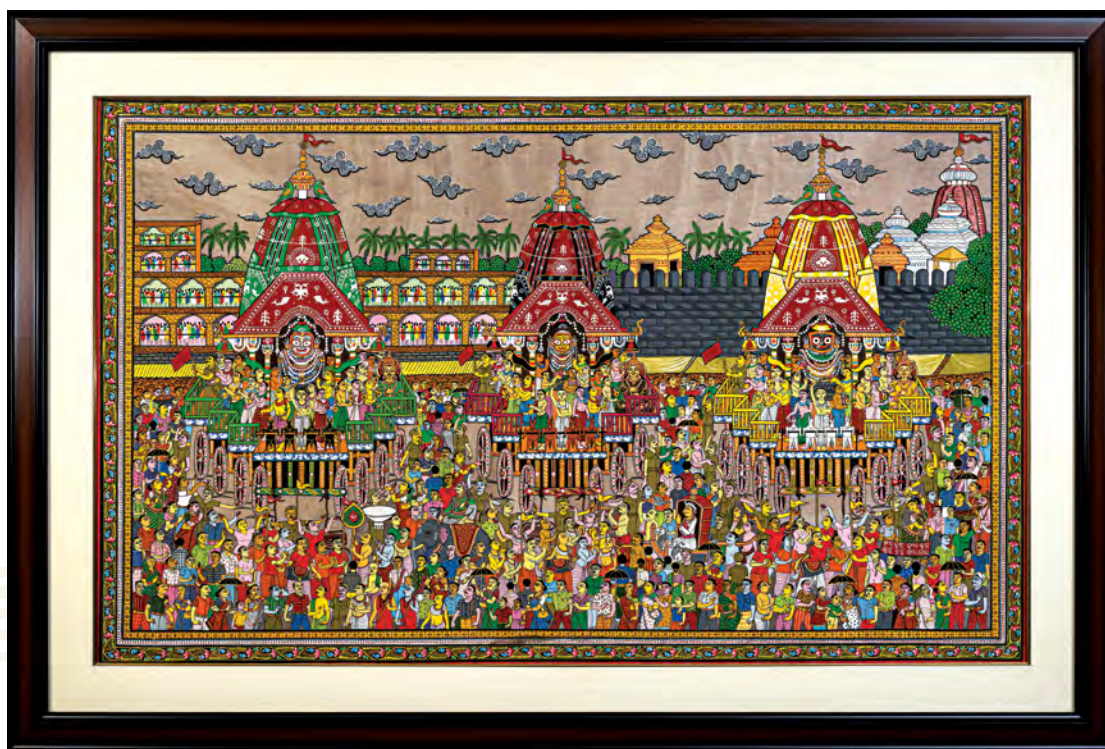
'Pattachitra or Patta' painting is a century-old artform practiced even today by the artisans of Odisha. The word 'Patti' is used for the locally made canvas that is painted upon by the artists. Natural colours are mixed with tree sap to make paints and artists use a colour blocking method to paint the canvas with homemade paintbrushes. This masterpiece, placed in the Judges' Lounge, depicts the famous Nabagunjara, the mythical creature composed of nine different animals in Hinduism. It is believed to be another avatar of Lord Vishnu, and a variation of the Viswaroopa.



## *In the Judges' Lounge*



Above: This masterpiece depicts the famous Baliyatra. The festival celebrated in coastal Odisha on the day of “Kartika Purnima” commemorates the maritime trade the state had with South-East Asian countries. Right: This Pattachitra depicts nature and wildlife in harmony.



This ‘Pattachitra’ depicts the famous chariot festival of Puri, famously known as Rath Yatra. Lord Jagannath, the king of Universe is all decked up in royal apparel with brother Balabhadra and sister Subhadra. Adorning the floral garlands and jewels the trinity looks ethereal. The traditional art form of Odisha etching their beloved almighty with the splash of colours and finest brushstrokes look divine and sacred.



## Straw Craft



Straw Craft is a modern craft activity which uses the dry stem of paddy plants available in many natural colour such as yellow, red, brown, and white. The stems are cut and dried for different time durations to give them different shades of gold or brown. The stems are then flattened and glued to the fabric to form exquisite shapes.

**Image in the Centre:** The Kandarp Hasti (Elephant) with Radha Krishna is an iconic image seen across many craft forms. Kandarp stands for Lord of Love and the painting usually is made of multiple female figures placed together to form a shape.

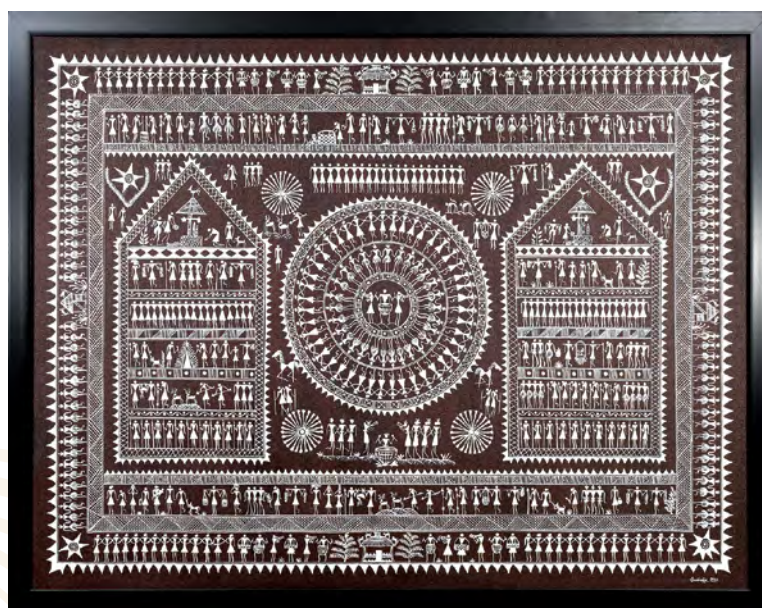
The motifs on either side which are from the Districts of Dhenkanal and Ganjam adorn the corridors in the second floor of the new building of the High Court.



## *Saura Paintings in the Judges' Lounge*



The Sauras are one of the oldest tribes of India. The present fame of this tribe, however, rests not in folklore, but in their traditional paintings called 'Saura Painting' that originated from religious and ceremonial rituals. The richness, variety, antiquity and the ritual base of these ancient tribal art are responsible for their popularity, fame and in-vogue-appeal. These are a style of wall mural painting associated with the Saura tribe of Odisha. Locally the paintings are known as Ekons.



Saura paintings have gained popularity due to the element of mysticism combined with the symmetry and subtle aesthetics that exude from these works of art. Contemporary artists have modified these traditional tribal paintings through use of colours like green, orange, blue and yellow in order to meet the demands of customers.

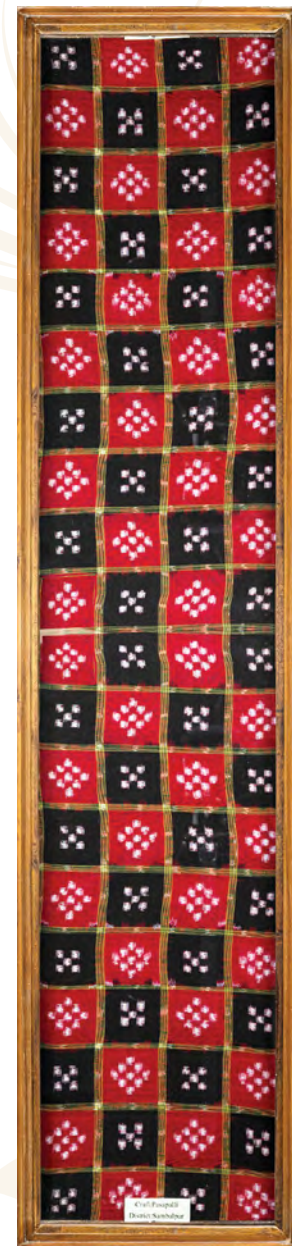
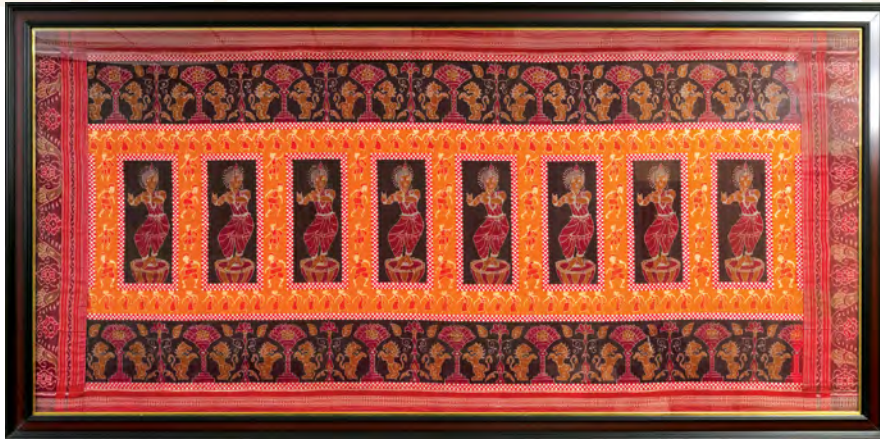


## Gond Paintings



The Gond paintings begin with the “dots and dashes” technique which contributes a sense of proportion and perfection. The Gond tribe believes that seeing a good image brings lots of good luck to them, hence the tribal paintings. These beautiful pieces of ‘Gond Paintings’ are inspired by the nature, an offering towards worship of nature to seek protection and ward off evil. Bright colours such as red, yellow, blue, green, etc., are commonly used in Gond art. Natural colours are obtained from charcoal, coloured soils, plants, leaves, cow dung, etc. The Gond paintings placed in the second floor corridor of the new High Court Building and the Judges’ Lounge, are from District Keonjhar. They are inspired by Nature, the theme being a supplication to the spirits to ward off evil.

## Handloom Artwork in the second floor corridor



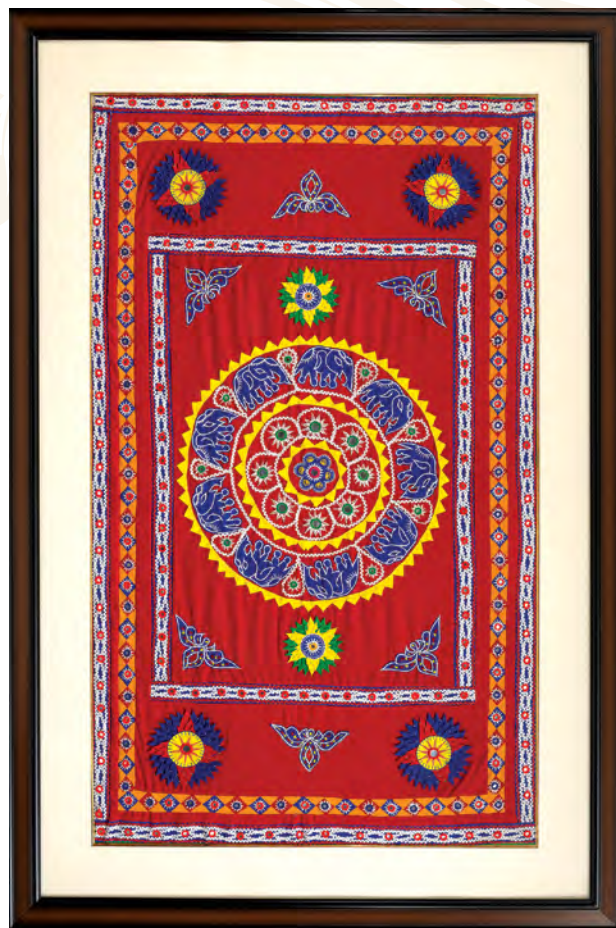
Historians opine that the history of handloom weaving in Odisha dates back thousands of years, maintaining its distinctive grace over the centuries. Odisha handloom, like many other forms of Odisha's art and craft, is deeply connected with the rituals of Lord Jagannath.

**Left:** The main feature of Odisha handloom is "bandhakala" (tie and dye) in which cotton and silk yarns for warp and weft are first dyed and then set into a pattern on the loom for weaving. Motifs are inspired from nature and traditional features like fish, conch-shell, flower, rudraksha, and temple borders in sarees remain ever popular. Known popularly as 'Sambalpuri', Odisha handlooms have a large repertoire of weaving across the state, each weave carrying its own distinctive feature.

**Right:** One of the various Sambalpuri textures, 'Pasapalli' is the iconic chessboard inspired weave from Barpalli in Bargarh.



## *Applique work*



Applique is a technique in which a decorative effect is obtained by superimposing patches of coloured fabric on a base fabric, the edges of the patches being sewn with some form of stitching. Unique to Odisha is the Pipli applique, a visual extravaganza of colours and motifs that brighten the mind and the spaces where they are used.

These colourful 'Applique' arts, locally called Chanduakama, are coloured cloths, cut and shaped into the forms of birds, animals, flowers, leaves, and other decorative motifs hand stitched onto a piece of cloth. The drapes used to cover the giant wooden chariots of Puri's Lord Jagannath and his siblings are also the applique work of Pipli. The artwork presented in the High Court takes inspiration from the same.

## *Artwork of the Dongria Kondh*



The Dongria Kondh tribe is known for their protest against bauxite mining in the Niyamgiri forests. This resilient tribe gained iconic status, inspiring millions, as they fiercely rose to protect their homeland. Prominent among the craft of the Dongrias is the 'Kapdaganda' shawl, mostly woven by spinsters of the community. Traditionally, women who weave these shawls gift it to their brothers to further offer it to a woman as a proposal for marriage. We are proud to have an original and authentic Dongria 'Kapdaganda' shawl in our collection, as well as a sketch of the design pattern of the shawl. These artworks adorn the corridor and the Judges' Lounge.



### Artwork in the corridor of the High Court



**Left:** Bargharh, in the Sambalpur district of Odisha, is known for its detailed and stylized wooden toys depicting birds, animals, humans, gods and goddesses and mythical creatures. Great skill goes into crafting these toys out of a locally available whitish wood called “Gamhari”, which are then painted with bright colours. A richly painted ‘Pedi, a collage of different bright coloured birds crafted in Bargharh adorns the corridor of the second floor of the High Court.

**Centre:** ‘Dhokra Art’ refers to a non-ferrous metal casting that has been practiced in India for over 4000 years. It refers to casting of bell-metal through a lost wax process. The vacuum created between the core and the clay layer is filled with molten metal, which is then allowed to cool and solidify. The outer clay mould is then cracked open to reveal a beautifully sculpted figurine or artefact.

**Right:** Metal craft is perhaps the single largest practiced craft in Odisha, considering the number of craftsmen engaged in this activity for their livelihood. While Kantilo in Nayagarh district and Balakati in Khordha district are the strongholds of this craft, substantial numbers of these metalsmith craftsmen are also found in the districts of Cuttack, Ganjam and Sambalpur. Included in the High Court’s collection is a set of “Kansa”(Bell Metal) plates from Nayagarh District.

## *Tala Patra Chitra*



Palm leaf engraving or 'Tala Patra Chitra' occupies an important place in the gamut of handicraft treasures of Odisha. The Talapatra Chitra, or the Palm leaf painting/engravings, is a known art form of heritage crafts village of Raghurajpur in Puri district, Odisha. This highly complex art form is done on dried palm leaves and stitched together to mimic a canvas. The leaves are covered with genuine black ink that seeps into the etched sections of the leaf. The product here depicts the tree of knowledge, connecting to heaven and the underworld, and the tree of life, connecting all forms of creation.





**Left:** Santhals are the third largest tribe in India and are known for their unique form of tribal painting known as 'Santhal Tribal Art'. The Santhals paint the walls of their huts during their village festival for ceremonial performances and also a way of self-expression. Crafted in naturally sourced colours, with leafy patterns in the foreground, background and borders, the Santhal paintings are characterized by a childlike innocence in the depiction. The figures are static, frequently multicolour, artistic rather than realistic projections. This artwork is placed in the Judges' Lounge.

**Right:** The riverside villages of Kendrapada and Jagatsinghpur districts of Odisha have literally struck gold with handicrafts made out of 'Golden Grass' that grows abundantly in these areas. The inflorescent sticks of golden grass are collected by women who have to wade through the water to reach the grassy patches. After collecting the stick, the women split it into two precisely even strands with their teeth. This dried golden grass is then deftly woven by craftspersons of both genders to create a variety of utility and decorative items like storage boxes, bowls, mats, and fans. A set of circular mats crafted out of golden grass, from Kendrapara District, finds place in the High Court corridor.

## Artwork in the Chief Justice's Chamber



This splendid craft, depicted in the form of a 'Banana Tree' which has also garnered a design award, is carved with absolute precision out of pink soapstone. This one-of-a-kind item, created by a National awardee stone carver, features a banana tree with delicate work that can be dismantled and reassembled.

A reflection on the glorious Maritime tradition and history of Odisha, this Silver Filigree 'Boita' has been made by the artisans of Cuttack with traditional filigree motifs that have been practiced for centuries. The Silver filigree (locally known as Tarakasi) is the most exquisite rendition of silver craft. Beaten silver is drawn into fine wires and foils which is then crafted into many forms of great beauty, just like this Boita.



This is a stone replica of the famous wheels of the Konark Sun Temple. Inspired by the 13th century UNESCO World Heritage Site, this piece of beautiful craft is carved out of Pink Sandstone,



## Artwork in the Chief Justice's Chamber

Made in the heart of Nabrangpur district of Western Odisha, lacquered boxes are a thing of beauty. Each 'Lacquer Box' is crafted and professionally hand painted, where the lacquer used is made of bamboo. It's a one-of-a-kind collaboration between two communities in this district, where the bamboo boxes are made by one and the lacquer coating is done by another. This nested box is made from locally sourced bamboo and tree lacquer, making it sustainable and eco-friendly.



This beautifully hand-painted wooded multi-coloured 'Vintage Bridal Box' has its origins in Odisha, perfect for the Modern Bride. An elegant collection of all things classic for the bride who loves tradition with a little fashion and sparkle bundled up in this box. The wooden overlays are magical and complement the dark sheen perfectly while being securely riveted in place, to last generations to come.

The artisans of the villages of Jagatsinghpur and Kendrapada districts of Odisha are famed for their trademark technique of creating intricate and sustainable art practise made from Golden Grass, also known locally as 'Kaincha.' Inspired by smaller temples typically kept in Puja rooms in homes, this excellent craft has been innovatively split and woven to create this 'Golden Grass Temple'.



ଆଇନ ସେବା ଭବନ  
AAIN SEVA BHAWAN

II

# Allied Organs



ODISHA JUDICIAL ACADEMY



ଓଡ଼ିଶା ନ୍ୟୁଜିଆଲ ଏକାଡେମୀ





Aain Seva Bhawan

## Odisha State Legal Services Authority



*Left to Right: Sudipta Acharya, Member Secretary, Justice Jaswant Singh, Executive Chairperson, OSLSA and Smruti Ranjan Mohapatra, Deputy Secretary  
Standing: Srujan Saraswat, Assistant Secretary*

Justice Jaswant Singh, Judge, High Court of Orissa is the Executive Chairman of the Odisha State Legal Services Authority (OSLSA) since 24<sup>th</sup> October 2021. Shri Gouri Sankar Satapathy was the Member Secretary till 18<sup>th</sup> April 2022; Shri Biswajit Mohanty till 12<sup>th</sup> September 2022. Sudipta Acharya took over as Member Secretary on 14<sup>th</sup> September 2022. The prime objective of the OSLSA is to

provide free and competent legal services to the weaker sections of the society; and to ensure that opportunities for securing justice are not denied to any citizen by reason of economic or other disability. OSLSA periodically organises Lok Adalats to facilitate expeditious disposal of cases. OSLSA is functioning through its state-wide network of legal services institutions in all the 30 Districts and 115 Taluks of the State.



## A. Lok Adalats

### (i) National Lok Adalat

During the year 2022, four National Lok Adalats were held in the High Court of Orissa and in the District and other subordinate Courts, as per the Calendar of the National Legal Services Authority (NALSA). As many

as 2,460 cases including motor accident claim appeals, land acquisition appeals, electricity disputes, bank matters, criminal compoundable matters and other matters were dealt with by the High Court. 241 cases involving compensation, fines and recovery of loan amount of Rs.17,99,84,000/- were settled.

#### Details of National Lok Adalats in the High Court

Date of Lok Adalat	Cases placed	Cases settled	Amount involved (In Rs.)
1 <sup>st</sup> National Lok Adalat on 12 <sup>th</sup> March, 2022	652	69	6,10,89,000/-
2 <sup>nd</sup> National Lok Adalat on 14 <sup>th</sup> May, 2022	577	38	2,53,95,000/-
3 <sup>rd</sup> National Lok Adalat on 13 <sup>th</sup> August, 2022	589	70	4,54,67,000/-
4 <sup>th</sup> National Lok Adalat on 12 <sup>th</sup> November 2022	642	64	4,80,33,000/-
<b>Total</b>	<b>2,460</b>	<b>241</b>	<b>17,99,84,000/-</b>

Similarly, in the District and other subordinate Courts, 1,61,276 cases were disposed of in Lok Adalats involving realisation of fines in criminal cases and award of compensation in other

cases in a total sum of Rs.280,60,14,343/. Further, 33,649 pre-litigation disputes involving a sum of Rs.29,86,59,379/- as fine and compensation were settled.

#### Details of National Lok Adalats in the District Judiciary

Nature of cases	Cases placed	Cases settled	Amount involved (In Rs.)
Pending Cases	4,75,899	2,98,692	387,17,85,329/-
Pre-litigation disputes	3,42,658	38,132	43,86,56,974/-
<b>Total</b>	<b>8,18,557</b>	<b>3,36,824</b>	<b>431,04,42,303/-</b>

### (ii) District Level Lok Adalat

A District Level Lok Adalat was held at the District headquarters of Balasore, Cuttack, Khurda at Bhubaneswar and Sambalpur including Sub-divisional headquarters

of Panposh (Rourkela) in the district of Sundargarh for cases under section 138 Negotiable Instruments Act, 1882 on 10th December 2022. Of 2,499 cases taken up, 453 were settled.

## B. Permanent Lok Adalat (PUS)

At present, 22 Permanent Lok Adalats (Public Utility Services) [PLA (PUS)] established by the OSLSA Authority are functioning. 1,300 pre-litigation disputes were registered at the PLA (PUS), of which 1,235 disputes were settled.

## C. Legal Aid

12,623 applications seeking legal aid were received. Of these, 11,405 were disposed of by OSLSA, the Odisha High Court Legal Services Committee (OHCLSC) and other field units. In 2,292 matters, Panel Advocates were engaged; in 8,219 matters counseling was offered and in 894 matters, other services including assistance was provided to the beneficiaries for availing the benefits

of the schemes of both the Central and State Government.

## D. ADR Centres and Mediation

Alternate Dispute Resolution (ADR) Centres are functioning in exclusive spaces earmarked for that purpose in 16 districts. In other districts, mediation cases are being taken up in the Mediation Centres are taking up in the premises of the District Legal Services Authority (DLSA).

As on 31<sup>st</sup> December, 2021, 311 cases were pending before the different District Mediation Centres for mediation. Of the 1,179 cases received during 2022, 122 were settled through successful mediation. In 678 cases mediation failed and in 287 cases, mediation could not commence. As on 31<sup>st</sup> December, 2022, 403 cases are pending for mediation.

## E. Mediation Training Programmes for Judicial Officers

A 40-hour (5 days) Mediation Training Programme (MTP) was organised by OSLSA under the aegis of the Mediation and Conciliation Project Committee (MCPC), Supreme Court of India in two phases i.e. 1<sup>st</sup> phase from 9<sup>th</sup> to 11<sup>th</sup> April, 2022 and 2<sup>nd</sup> phase i.e. on 16<sup>th</sup> & 17<sup>th</sup> April, 2022 at the Odisha Judicial Academy (OJA), Cuttack. In the said training programme, 28 Judicial Officers nominated by the High Court of Orissa

successfully underwent mediation training. Ms. Veena Ralli, Advocate & Organizing Secretary, Delhi Mediation Centre and Shri J.P. Sengh, Senior Advocate deputed by the MCPC, New Delhi conducted the training programme. A Similar MTP was organized at the OJA between 2<sup>nd</sup> and 6<sup>th</sup> June, 2022 for another 28 judicial officers. Harish Dudani, Judicial Officer, Delhi Higher Judicial Service and Ms. Nageena Jain, Advocate deputed by the MCPC, New Delhi had conducted the above training programme.







*Mediation Training Session conducted by MCPC Trainers*



### *Distribution of certificates to the participants*

## F. Awareness Programme

During the year, 3,575 Awareness Camps were organized by the DLSAs and Taluk Legal Services Committees (TLSCs) in physical and virtual mode across the State on different legal themes and welfare schemes as per the Calendar of Activities of the OSLSA. 2,30,389 persons participated in these awareness programmes.

On the occasion of International Day of Deafblindness on 27<sup>th</sup> June 2022, the Chief Justice addressed a State level workshop on the legal rights for people with disabilities organised by the Child & Women Development Society and the Orissa Association for the Blind. A documentary jointly prepared by the OSLSA and the OJA on the legal rights, laws and free legal services relating to persons with disabilities was screened on the occasion.



### G. Victim Compensation Scheme

2138 applications under the Victim Compensation Scheme were received during the year by the DLSAs. 1,637 applications were decided and Rs.24,24,52,674/- was disbursed as compensation to the beneficiaries.

### H. Training Programmes for Panel Lawyers and Para-legal Volunteers (PLVs)

The training module devised by NALSA was followed for training of panel lawyers of the OSLSA. During the year, 71 training programmes for panel lawyers were organised by the field units and 969 panel lawyers were given training. Similarly, 31 induction/refresher training programmes were organised for PLVs. 938 PLVs were imparted training.

### I. Nyaya Sanjog

A State-level Legal Assistance Establishment, 'Nyaya Sanjog' is functioning in the office of the OSLSA since 21<sup>st</sup> June, 2017 for providing multiple legal services under one roof. There

is a dedicated Help Line number-1516.

During the year 628 persons approached the Nyaya Sanjog and were provided with the required legal aid, assistance and consultation.

### J. Front Office

135 Front Offices are functioning in the DLSAs and TLSCs. During the year, 1,720 persons approached the Front Offices and 1,432 persons were provided assistance.

### K. Jail Legal Services Clinics

87 Jail Legal Services Clinics (JLSCs) are functioning in the DLSAs and TLSCs. During the year, 12,268 inmates approached the JLSCs. 5,658 were provided with assistance.

### L. Village Legal Aid Care and Support Centres

158 Village Legal Aid Care & Support Centres are functioning under the DLSAs and TLSCs. During the year, 6,215 persons approached these Centres and 3,503 persons were provided assistance.

### Other Activities:

Cases received by LSIs relating to domestic violence	234
Cases in which legal aid and assistance was provided	223
Petitions filed in courts through legal aid under DV Act	11
Cases received by LSIs related to denial of wages where legal assistance provided	18
Persons provided legal representation at the remand stage	4,564
Bail applications filed for persons at remand stage	3,537
Bail applications allowed	699
Under trials represented	432
Bail applications filed for Undertrials	338

### M. Help to Unorganised sector workers and Senior Citizens

During the year, 30 Unorganised sector workers were provided Registration Cards

through e-Shrama Portal. Of these, 2 were provided medical treatment. Assistance was provided to 41 senior citizens.



## High-Powered Committee

As per the directions of the Supreme Court of India in *WP(C) No. 01/2020 in Re:Contagion of COVID-19 Virus in Prisons*, a High Powered Committee (HPC) was constituted by

### HPC related Statistics

1	Meetings of the HPC held during 2022	10
2	UTPs released on interim bail	2,144
3	Prisoners found to be affected by COVID-19	73
4	Prisoners recovered from COVID-19	75
5	Prisoners kept in quarantine wards	31,676

## N. Organization of Jail Adalats

Based on the directions issued by the High Court in *W.P(C) No.6610 of 2006* and *W.P.(C) (PIL) No.3368 of 2014*, Jail Adalats were conducted by the field units during the year. In these Jail Adalats, 551 cases were taken up, of which 35 were disposed of.

## O. Setting up of an exclusive Legal Aid Clinic for the Transgender Community

As per the Regulation 3 of the National Legal

Government of Odisha on 26<sup>th</sup> March 2020 and under the Chairmanship of the Executive Chairperson of OSLSA with the Principal Secretary Home Department & DG Prisons and Correctional Services as its Members. The HPC is dealing with the issue of decongestion of prisons.

Services Authority (Legal Services Clinics) Regulations, 2011 and pursuant to the minutes of the Executive Chairman, OSLSA, a Legal Aid Clinic exclusively for the transgender community was set up by the DLSA, Khurda at Bhubaneswar in association with SAATHI (a charitable trust) on 20<sup>th</sup> February 2022 at IRC Village, Nayapalli, Bhubaneswar. PLVs and Panel Lawyers engaged in this Clinic will help amicably resolve pre-litigation disputes of the persons visiting it.



## P. Visit of 18 Civil Judge (Junior Division) of Uttarakhand

As per the direction of the Judicial Academy & Training Committee, 18 Trainee Judicial Officers of Uttarakhand being accompanied by the Director and Joint Director, Uttarakhand Judicial Academy visited Aain Seva Bhawan on 26<sup>th</sup> August 2022 under 'the sharing of

Best Practices' Programme.

## Q. Orientation programme on 'Forest and Wildlife Conservation Laws for the Odisha Judiciary'

An Orientation programme on 'Forest and Wildlife Conservation Laws for the Odisha Judiciary' was organised by OSLSA in association with the OJA and WWF-India

& Traffic-India on 23<sup>rd</sup> and 24<sup>th</sup> July 2022. In the said Orientation programme, 55 Judicial Officers participated. Justice Modan B. Lokur, Judge, Former Judge Supreme Court of India spoke on the role of judiciary vis-à-vis environment laws.

## R. Pan India Awareness and Outreach Campaign

As per instruction of NALSA and in order to commemorate the 'Azadi Ka Amrit Mahotsav', the OSLSA, the DLSAs and the TLSCs organized a Pan India Awareness and Outreach programme throughout the State during the period from 31<sup>st</sup> October to 13<sup>th</sup> November 2022 on Empowerment of citizen through Legal Awareness and outreach for bridging the gap between the Legal Services Institutions and the unprivileged. 9533 Legal

Literacy/Awareness Camps were organised in the villages, other areas, and different jails of the State using Legal Services Vehicles/ Mobile Vans and through digital platforms. 3,46,999 persons were made aware of the different activities undertaken by the Legal Services Institutions.

### (i) Mega Legal Services Camp

All the DLSAs (Except Bargarh & Bhadrak) in collaboration with District Administration of their districts also organised Mega Legal Services Camps on 6<sup>th</sup> November, 2022. In the said Camps, the stalls of various departments showing benefits available under the schemes of State and Central Government were set up. More than 19,000 persons had attended in the aforesaid Camps and instant benefits were provided to the above 10,000 persons.



*Mega Legal Services Camp at Dhenkanal*



*Mega Legal Services Camp at Phulbani*



*Mega Legal Services Camp at Sonepur*



*Mega Legal Services Camp at Nuapada*



*Mega Legal Services Camp at Angul*



*Mega Legal Services Camp at Jajpur*

## S. Success Stories

### (i) Relief to the Cancer Patients and their Attendants

On being informed by the OSLSA of the pitiable conditions of the Patients and their

attendants at the Acharya Harihar Cancer Hospital, Cuttack, the Secretary DLSA, Cuttack immediately sent two Para Legal Volunteers for on-the-spot-assessment. The PLVs found the patients undergoing treatment



in an unhygienic & miserable environment and submitted a report.

The DLSA drew the attention of Director of Health & Family Welfare, District Administration and the authorities of the Acharya Harihar Regional Cancer Hospital and requested them to take immediate remedial measures. Accordingly, the authorities swung into action and took steps on war-footing in setting up of suitable sheds outside the main hospital as the space available in the hospital was inadequate in comparison to the inflow of the patients. The patients and their attendants were accommodated in those sheds. They also provided other facilities like drinking water and security for the patients and their attendants.

The authorities concerned assured the DLSA to take up permanent suitable measures soon to accommodate the patients in the hospital. The patients and their attendants expressed happiness over the timely intervention of the DLSA, Cuttack in mitigating their plight.

#### **(ii) Rehabilitation of a distressed woman**

One Basanti Harijan filed an application before the Secretary of DLSA, Malkangiri seeking for intervention and alleging therein that after being ill-treated by the villagers of Nuaguda and pressurized, she was forced to leave the village with her child. The Secretary, DLSA intervened the matter and successfully persuaded the villagers to amicably settle the dispute. The woman and her child were resettled at her own house by the villagers who also undertook not to harass her in future.

#### **(iii) Timely rescue of women with mental disorder**

On being informed that some women with

mental disorder were moving here and there at DNK Square in front of the Circuit House of Malkangiri, in front of the BSF camp and near Kali Chowk, Balimela in the district of Malkangiri, the Secretary, DLSA, Malkangiri took stock of the situation by intervening in the matter. Apprehending the vulnerability of those women becoming victims of different crimes, the Secretary of the DLSA wrote to the Collector, Malkangiri and the DSWO, Malkangiri for their immediate rescue and rehabilitation. On intervention of the DLSA, Malkangiri those mentally ill women were rescued and rehabilitated by the District Administration at Janla, Khordha.

#### **(iv) Providing old age pension to specially-abled widows**

The Samaj dated 10<sup>th</sup> June 2022 under the caption 'Dibyang Bidhabanku Miluni Sahayata' where it is reported that four physically challenged widows were not getting their old age pension despite their eligibility. Taking into consideration their financial condition, the Secretary DLSA, Nuapada took immediate steps by addressing a request letter to the Collector & District Magistrate for providing necessary assistance and by including them under Government Old age Pension Scheme. The above matter was resolved and the entire beneficiaries got their old age benefits.

#### **(v) Social Security Benefits for specially-abled, cancer patients and landless women**

Smt. Malati Ghadia, a merchant of village Birabrahmapur of Balesore District stated in her grievance petition addressed to the High Court, that she is a specially-abled, cancer patient and landless woman who was deprived of social security benefits. The concerned

DLSA was asked to enquire into the allegation made by the woman. The Collector, Balesore was requested to personally look into her grievance. Accordingly, the Civil Supplies Officer, Balasore by letter dated 11<sup>th</sup> October 2022 submitted an action taken report and informed that a ration card was issued to Smt. Malati Ghadia and had also been provided 35 kg of rice for the months of August and September, 2022.

**(vi) Helping an old woman in getting old age pension**

The Sambad dated 14<sup>th</sup> September 2022 under the caption 'Pancha Masha Hela Bhatta Ru Banchita Moti Kumbhar' reported that an old woman Moti Kumbhar of village Khatiguda Parajabarang, Padar Panchayat under Tentulikhunti Block, was deprived of old age pension for the last five months. The

Collector, Nabarangpur and the secretary DLSA, Nabarangpur were requested to take immediate action. The old woman got her old age pension for the last five months on 16<sup>th</sup> September 2022.

**(vii) Restoration of happy conjugal life by Permanent and Continuous Lok Adalat**

A woman filed a grievance petition against her husband regarding her family dispute which was registered as a pre-litigation dispute on 17<sup>th</sup> June 2022. The matter was placed before the Judge, P&CLA (Nabarangpur). On 17<sup>th</sup> June, 8<sup>th</sup> August, 8<sup>th</sup> and 19<sup>th</sup> September 2022 both parties appeared before the Judge for the conciliation process. Through conciliation, both agreed to settle their disputes amicably. They are stated to be leading a happy conjugal life.



*Conference Hall in OSLSA*



## Odisha Judicial Academy



*L-R: Badri Narayan Nanda, Additional Director, Justice Subhasis Talapatra, Chairman, OJA & TC, Swapna Sagarika Mishra, Deputy Director and Manas Padhan, Assistant Director*

The Odisha Judicial Academy (OJA) provides a vital platform for training of the Judicial Officers in order to make them professionally skilled, empathetic and responsive to the challenges that their work entails. The vision of the OJA is to equip the judicial officers with judicial knowledge and technical tools as well as administrative and management skills to enable them to excel in their task of dispensing justice. Further, OJA strives to impart training to different stake holders for optimum performance of the justice delivery mechanism.

OJA conducts induction training programmes for newly recruited Civil Judges and District

Judges recruited from Bar. It conducts foundation training programme for officers in the cadre of District Judge appointed through usual promotion and Limited Competitive Examination (LCE). OJA conducts refresher training programmes for in-service judicial officers in three stages i.e. Early Career Training (JMFCs, SDJMs, Civil Judges), Mid-Career Training (Senior Civil Judge, CJMs, etc.), Advanced Career Training (ADJs, DJs, Special Court Judges etc.). It also has programmes designed to sensitise Public Prosecutors, members of the Juvenile Justice Board, Police Officers, Mediators, Conciliators, Court Managers, Staff of the District Courts and the High Court of Orissa etc.

The training modules of the OJA are oriented in such a manner that not only are the subjective aspect of the law covered but a dedicated module for physical and mental wellbeing of the officers is also put in place. With the introduction of new technologies, the training programmes of OJA have also been modified to incorporate subjects such as ICT, Paperless Courts, Vulnerable Witness Deposition Centre Rules and Video Conferencing Rules etc. That apart, germane topics such as – gender justice, issues of persons with disabilities, environment protection, human trafficking, juvenile law, access to justice etc. are also included in the training calendar of OJA.

During the year, OJA organised and conducted 1 induction programme, 1 foundation training programme, 22 Refresher programmes and several special programmes and workshops.

### Highlights of the important programmes at the OJA

#### Induction Programmes

The Induction training of 47 Civil Judges of 2019 batch was completed on 8<sup>th</sup> August, 2022. Consequently, a valedictory ceremony was organised for the trainee Civil Judges. The Chief Justice, High Court of Orissa administered the Valedictory Oath to the trainees in the presence of the Judges of the High Court of Orissa.



*Valedictory oath being administered by the Chief Justice to 47 Civil Judges*

#### Foundation Training

Institutional training was conducted for 19 District Judges appointed through usual promotion and LCE by using the Online platform from 14<sup>th</sup> March, 2022 to 6<sup>th</sup> April, 2022 as per the approved module of the OJA.

#### Refresher Training

20 Refresher training programmes for all cadre Judicial Officers and 2 Refresher training programmes for the staff of the High Court and the Civil Courts were held during the year. All the programmes were of two-day duration



and were conducted in physical mode, during which various important topics of law were covered by erudite resource person.

### **Hands-on and ICT and e-Courts Training Programmes**

During the year 2022, 20 Hands-on Training programmes for Judicial Officers on 'conducting Virtual hearing', 11 Hands-on Training programmes on 'Paperless Court', 10 Hands-on Training programmes on 'Examination of vulnerable witness' and 16 ICT and e-Courts Training Programmes were conducted by the OJA involving 1,368 Judicial Officers, 2,366 Advocates and Advocate Clerks and 2,191 staffs of Odisha judiciary.

### **Special Programmes organised at Odisha Judicial Academy in 2022**

#### **Workshop on POCSO Act, 2012**

On 5<sup>th</sup> March, 2022, a one-day workshop on the POCSO Act, 2012 for the Judicial Officers, Doctors, Prosecutors, Police Officers and NGOs was held at the OJA on the topic 'To

understand Child Sexual Abuse Dynamics and Processes & Role of Stakeholders in Dispensing Justice to the Victims under the POCSO Act'.

### **Orientation Workshops on Probation of Offenders Act**

Four one-day Orientation Workshops were conducted for the Judicial Officers and Probation Officers on 'Probation of Offenders Act' at the OJA on 17<sup>th</sup> April, 31<sup>st</sup> July, 25<sup>th</sup> September and 11<sup>th</sup> December, 2022. All the programmes were conducted in virtual mode.

### **Training programme for the Public Prosecutors**

From 7<sup>th</sup> to 11<sup>th</sup> March, 2022 a five-day training programme for the Public Prosecutors on the subject 'Women's Safety' was organized by the OJA. It was sponsored by Bureau of Police Research & Development Department, Government of India. 26 Public Prosecutors attended the training programme.



*Public Prosecutors with officials of OJA*

**Orientation programme on Persons with Disabilities (Equal opportunities, Protection of Rights and Full Participation) Act, 1995**

On 29<sup>th</sup> October, 2022 a One-day Special Orientation programme for 50 all cadre Judicial Officers on 'Persons with Disabilities (Equal opportunities, Protection of Rights and Full Participation) Act, 1995' was held at the OJA.

**Orientation Programme on 'Gender Justice and Judicial Stereotypes and differently able Victim / Survivors of Sexual Assault'**

A one-day Special Orientation Programme for 50 all cadre Judicial Officers on 'Gender Justice and Judicial Stereotypes and differently able Victim / Survivors of Sexual Assault' held on 30<sup>th</sup> October, 2022 at the OJA.

**Visit by trainee Officers of Indian Railway Traffic Services and Indian Post and Telegraph Account and Finance Services**

On 10<sup>th</sup> November, 2022, 29 Trainee Officers of Indian Railway Traffic Services (IRTS) and Indian Post and Telegraph Account and Finance Services (IP & TAFS) visited OJA with faculty, Staff of NLUO & Gopabandhu Academy of Administration. An interactive session with the Officers was conducted by the Addl. Director of OJA.

**Training of High Court employees on digitization**

On 26<sup>th</sup> November, 2022, one day training programme on digitization was held for the employees of the High Court of Orissa.



*High Court employees with the officials of OJA*

**Training Programme on 'Triple Methods - Plea Bargaining, Compounding of Offences and Probation of Offenders Act as effective tools of disposal of Criminal cases'**

A half-day training programme was organized by the Odisha Judicial Academy involving the

District Judges, Chief Judicial Magistrates and SDJMs of Headquarter Stations of all the 30 Districts on 10<sup>th</sup> December, 2022 in virtual mode, on the subject of 'Triple Methods - Plea Bargaining, Compounding of Offences and Probation of Offenders Act as effective tools of disposal of Criminal cases'.



## ***Centre for Judicial Archives of Odisha and Museum of Justice***

The case records of the High Court of Orissa include the old judicial records of three other High Courts: at Calcutta, Patna and Madras. They also include records belonging to erstwhile High Courts of the princely states of Mayurbhanj, Sonapur and so on. In 2021 after the establishment of the RRDC, efforts were begun to streamline the preservation of old case records both in the High Court as well as in the four District Courts in Sambalpur, Balasore, Cuttack and Ganjam. In the process, documents dating back to the early 19<sup>th</sup> century were discovered, which were in a reasonably readable condition, though fragile. A sampling of these documents gave valuable insights into the functioning of the judiciary and of the problems brought before the courts during those times.

This led to conception of an idea of having a project for documenting the judicial history of Odisha. Possibility of making the records available to the researchers and scholars was thought of. However, the treasure-trove of historical information contained in the records required careful physical handling and treatment using the latest scientific techniques before the information was properly identified, collated, preserved and made accessible for research. Simultaneously, revamping of the museum of the High Court in Cuttack was mooted for showcasing the heritage and history of the judiciary in Odisha. The Chief Justice wrote to the Chief Minister on 25<sup>th</sup> March, 2022 for support of the State

Government in establishment of a Centre for Judicial Archives, revamping of the Museum of Justice and financial, infrastructural and personnel support for the judicial history project in general. The Chief Minister by letter dated 2<sup>nd</sup> April, 2022 assured support of the State Government in the project.

### ***(Appendix-M)***

#### ***Centre for Judicial Archives***

The Centre for Judicial Archives was established on 1<sup>st</sup> May, 2022. At present, the Centre is functioning in the Record Room Digitization Centre with a laboratory and a research centre where conservation of fragile records and the records of historical importance is underway. The State Government has made available Ac.1.884 dec at Sector-1, CDA, Cuttack for construction of a separate building for Centre for Judicial Archives. The High Court Building Committee accepted plan and estimate of Rs.34,89,55,743/- for the project. The State Government has accorded administrative approval and made provision of funds for commencement of work.

As a prelude to the establishment of Centre for Judicial Archives, a workshop on 'Archival Management and Preservation of Archival Records' was held on 9<sup>th</sup> April 2022 at the Odisha Judicial Academy in Cuttack in which resource persons from the National Archives of India, the Raja Muthiah Library, Chennai and the Piloo Modi College of Architecture, Cuttack shared their expert ideas in the field



*Design of the proposed building for the Centre for Judicial Archives*

of archiving. Archival management, records management, preservation of records, digitization and appraisal of records were discussed in the workshop.

By a notification No. 14380 dated 1<sup>st</sup> May, 2022 of Home Department, Government of Odisha, the Centre for Judicial Archives of Odisha was set up with the posts of Director-cum-Officer on Special Duty, Consultant (History), Consultant (Law) and 4 posts of Law Researchers. **(Appendix-N)** The posts of support staff were also subsequently created by the State Government. Dr. Lalatendu Das Mohapatra, the former Deputy Director, National Archives of India, New Delhi was nominated as the Director-cum-Officer on Special Duty and he assumed charge on 10th May 2022. The Centre has undertaken -

- Cataloguing and archiving the fragile records of the High Court till 1950
- Scientific preservation, upkeep, cataloguing and digitization of those fragile records

- Facilitating consultation of those records to the bona fide scholars by creating proper logistics and infrastructure
- Compilation of the Judicial History of Odisha
- Supervision and upgradation of Museum of Justice
- Overseeing and advising the District Courts on archiving of fragile records.

The old fragile records are being preserved by scientific method by experts in conservation work engaged by INTACH. After preservation, the records are being digitized. Most of such records contain Persian manuscripts which are proposed to be translated by a Persian scholar. As of 31<sup>st</sup> December, 2022, 9537 records have been catalogued, 768 records preserved and 201 records consisting of 3755 sheets have been digitized. This work is taking place at the conservation laboratory setup in the RRDC by INTACH. It is proposed to shift this entire work to a separate building to be constructed for that purpose.





*Treatment and Preservation of fragile records in the conservation lab setup by INTACH at the RRDC*

### **Museum of Justice**

The Museum of the High Court was set up in 2017 in the former official residence of the Chief Justice of the High Court of Orissa within the Barabati Fort complex. It was set up with some photographs of legendary legal luminaries of Odisha, former Chief Justices of the High Court of Orissa, papers and collections of Shri Madhusudan Das and a few artefacts, furniture and articles used in the various district courts in Orissa. After it was decided to upgrade the museum, the work was entrusted to Indian National Trust for Cultural Heritage (INTACH).

It was considered necessary to gain knowledge of the working of a sampling of museums and libraries in the country in order to adapt their best practices for the Museum of Justice.

Accordingly, visits were undertaken to a few museums outside Odisha to observe their practice and policy of conserving and showcasing documents and objects of historical value.

- The Chief Justice Dr. S. Muralidhar along with Justice Sashikanta Mishra and Dr. Lalatendu Das Mohapatra, Director-cum-OSD visited the Alipore Court Museum, the Victoria Memorial and the Police Museum in Kolkata. They also visited the Bihar Museum, the Patna Museum, and the Madras Museum Chennai. Besides, Justice Mishra and Dr. Das Mohapatra visited National Museum in New Delhi.
- Dr. Das Mohapatra visited the Courts in Berhampur, Aska, Puri, Bhadrak, Balasore, Mayurbhanj, Keonjhar and Dhenkanal to

survey their fragile records, artefacts and other antique objects which may be useful for the museum. Photographs of all their objects have been taken and shared with INTACH for their further study.

- The work of collection of documents and artefacts and information from the variety of sources is underway. The renovation work of the Museum of Justice is in progress. The upgraded Museum is scheduled to be inaugurated in the first quarter of 2023.

### Judicial History Project

For compilation of Judicial History preliminary works towards retrieval of information have been taken up.

- One of the core areas from which relevant data for the project are to be collected are 14,271 (1813-1950) fragile records of both civil and criminal cases of the High Court (in Persian, English, Odia and Bengali

languages) to which subsequently 33,480 files from different judgeships have been added till date. At present 47,751 files adorn the shelves of the archives out of which 8,708 files have been provisionally catalogued so far.

- The Consultant (Law) has prepared a bibliography of 27 books and one journal concerning the judicial and constitutional history of India so far in the High Court library. This job is still in progress.
- 38 judicial files relating to Paika rebellion and Quit India Movement have been selected so far from Odisha State Archives for retrieval of relevant data for the project.
- 665 fragile records having 13,065 sheets have been preserved so far by the INTACH. Of this, 101 files having 1,706 sheets have been digitised.



*High Court Museum before renovation*





ଓଡ଼ିଶା ନ୍ୟାୟାଳୟ  
ODISHA JUDICIAL ACADEMY

ଓଡ଼ିଶା ନ୍ୟାୟାଳୟ  
ଓଡ଼ିଶା ନ୍ୟାୟାଳୟ

Odisha Judicial Academy





# Law Officers and the Bar





Chief Justice's Court in the old building of the High Court



## *Office of the Advocate General, Odisha*



***Ashok Kumar Parija***

*Advocate General, Odisha*

Advocate General is the head of the panel of lawyers representing the State Government in litigation before the High Court of Orissa. The office came into existence on 1<sup>st</sup> April, 1936 when the separate province of Odisha was created. Justice Bira Kishore Ray, who later became the first Chief Justice of the High Court after its establishment, was the first Advocate General of the province. The province was then within the jurisdiction of High Court of Patna, with a circuit bench functioning at Cuttack. Later, Swami Bichitrananda Das became the first Advocate General when High Court of Orissa was established in July, 1948. The present Advocate General Ashok Kumar Parija assumed office on 26<sup>th</sup> June, 2019.

The office had been functioning in two floors in a portion of the old building of the High Court. In 2022 the State Government allotted a separate building for the extension office of the Advocate General near the High Court. Consequently, the ground floor of the High Court building has been vacated.

Besides, a separate building for the office of the Advocate General is proposed to be constructed in front of the High Court.

The Advocate General is assisted by the Government Advocate, Standing Counsel, Additional Government Advocates and Additional Standing Counsel otherwise known as Law Officers. The appointment, conditions of service, duties, rights and liabilities of Law Officers other than Advocate General for conducting cases in the High Court of Orissa and the procedure for the conduct of Government cases are governed by the Law Officers of the High Court (Recruitment, Remuneration and Duties) Rules, 1974. At present there are 72 Law Officers in the panel.

The office of the Advocate General monitors the Litigation Management System (LMS) of the State Government devised for easy access of the pleadings and orders by the Government offices for preparation of counter affidavits and replies and for compliance of the direction of the High Court by judicial orders.



The office has also facilitated digitization of the pending case records of the High Court which is presently going on in a large scale.

The cases and documents are filed by the Law Officers through e-Filing.

## Law Officers

### Government Advocate

**Jyoti Prakash Patnaik**

### Additional Government Advocates

- |                         |                          |                            |
|-------------------------|--------------------------|----------------------------|
| • Dilip Kumar Mishra    | • Debakanta Mohanty      | • Saroja Kanta Samal       |
| • Soubhagya Ketan Nayak | • Y.S.P Babu             | • Pradip Kumar Rout        |
| • Amiya Kumar Mishra    | • Prabhu Prasad Mohanty  | • Sukumar Ghose            |
| • Janmejaya Katikia     | • Shakti Prasad Panda    | • Surya Narayan Patanaik   |
| • Lalatendu Samantaray  | • Manoj Kumar Khuntia    | • Debasish Nayak           |
| • Prem Kumar Patnalk    | • Smt. Suman Pattanayak  | • Saswat Das               |
| • Arupananda Das        | • Dhananjay Mund         | • Ch. Satyajit Mishra      |
| • Smt. Saswata Patnaik  | • Satya Sundar Kanungo   | • Subhashish Pattanaik     |
| • Bibhu Prasad Tripathy | • Harmohan Dhal          | • Malaya Ketan Balabantray |
| • Pravat Kumar Muduli   | • Rabi Narayan Mishra    | • Nihar Kanta Prahraj      |
| • Ajaya Kumar Nanda     | • Sibani Shankar Pradhan |                            |
| • Ajodhya Ranjan Dash   | • Abhaya Kumar Sharma    |                            |

## Standing Counsel

**Tapas Kumar Prahraj**

### Additional Standing Counsel

- |                              |                          |                           |
|------------------------------|--------------------------|---------------------------|
| • Purna Chandra Das          | • Sangram Keshari Mishra | • Sonak Mishra            |
| • Ms. Samapika Mishra        | • Abhinandan Pradhan     | • Baibaswata Panigrahi    |
| • Swayambhu Mishra           | • Sailaza Nandan Das     | • Sitikanta Mishra        |
| • Priyabrata Tripathy        | • Tarun Patnaik          | • Manoranjan Mishra       |
| • Uttam Kumar Sahoo          | • Debendra Kumar Mohanty | • Debasish Biswal         |
| • Sidhartha Sankar Mohapatra | • Gyana Ranjan Mohapatra | • Sanjay Rath             |
| • Sukumar Ghose              | • Sachidananda Nayak     | • Prasanna Kumar Mohanty  |
| • Surjya Ranjan Roul         | • Karunakar Gaya         | • Shashanka Shekhar Patra |
| • Smt.Susama Rani Sahoo      | • Rajesh Tripathy        | • Arnav Behera            |
| • Manoj Kumar Mohanty        | • Pranaya Kumar Maharaj  | • Nikhil Pratap           |
| • Anand Prakash Das          | • Pushparaj Bharadwaj    | • Hari Krushna Panigrahi  |
| • Karunakar Das              | • Samaresh Jena          |                           |
|                              | • Ishwar Mohanty         |                           |





*Advocate General and Law Officers*



## Office of the Deputy Solicitor General of India



**Prasanna Kumar Parhi**

*Deputy Solicitor General of India for the High Court of Orissa*

The Union of India has its dedicated panels of lawyers to represent it in litigation before the High Courts. The heads of such panels for the High Courts were earlier designated as Assistant Solicitor General of India. By Office Memorandum dated 13<sup>th</sup> September, 2022 the Ministry of Law & Justice, Department of Legal Affairs, Government of India has re-designated them as Deputy Solicitor General of India. Prasanna Kumar Parhi assumed office as Assistant Solicitor General of India

for the High Court of Orissa on 7<sup>th</sup> October, 2020 and has been re-designated as the Deputy Solicitor General of India for the High Court of Orissa. The office of the Deputy Solicitor General of India was inaugurated on 11<sup>th</sup> October, 2022 by Kiren Rijju, Union Minister of Law & Justice, Government of India.

At present, there are 8 Senior Panel Counsel and 28 Central Government Counsel in the panel of lawyers representing the Union of India before the High Court of Orissa.

### Senior Panel Counsel

- Kailash Chandra Kar
- Achyutananda Routray
- Pradip Kumar Pattnaik
- Sanjib Swain
- Bimbisar Dash
- Chandrakanta Pradhan
- Gyanaloka Mohanty
- Partha Sarathi Nayak

### Senior Panel Counsel

- Deba Ranjan Mohapatra
- Dulal Satyanarayan Jethi
- Bijayalaxmi Tripathy
- Alok Kumar Mohanty
- Debasis Satapathy
- Prasanta Kumar Das
- Banidutta Rai Mohapatra
- Dipti Ranjan Bhokta
- Jateswar Nayak
- Kartik Chandra Jena
- Biswajit Moharana
- Debabrata Rath
- Mahendra Kumar Pradhan
- Babita Sahoo
- Udit Ranjan Jena
- Manoj Kumar Pati
- Dilip Kumar Sahu
- Birendra Kumar Pardhi
- Satyabrata Panda
- Amitabh Pradhan
- Chandra Madhab Singh
- Satya Sindhu Kashyap
- Debashis Tripathy
- Sulochana Patro
- Bhabani Shankar Rayguru
- Prabhu Prasanna Behera
- Jyotsnamayee Sahoo
- Deepak Gochhayat



*Orissa High Court Bar association*





*L To R Sitting - Partha Sarathi Nayak, Dulal Satyanarayan Jethi, Chandrakanta Pradhan, Bimbisar Dash, Prasannakumar Parhi (Asgi),  
Kailash Chandra Kar, Gyanaloka Mohanty, Sanjib Swain, Achyurananda Routray  
Deba Ranjan Mohapatra.*

*L To R 1st Line Standing - Bhabani Sankar Rayguru, Dilip Kumar Sahu, Udit Ranjan Jena, Manoj Kumar Pati,  
Jyotsanamayee Sahoo, Sulochana Patra*

*L To R 2nd Line Standing - Birendra Kumar Parhi, Dipti Ranjan Bhokta, Prabhu Prasanna Behera  
Satyakashyap, Deepak Gochhayat, Satyabrata Panda, Jateswar Nayak*

***Law Officers of the office of Deputy Solicitor General of India***





*(Sitting from left to right first row) : Padma Kar, Udit Ranjan Jena, Kshirod Kumar Rout, Kali Prasanna Mishra (President)*

*Alok Prasad Nanda and Rashmi Ranjan Mishra*

*(Standing from left to right second row) : Debi Prasad Mohanty, Sarbeswar Sahoo, Sushil Dash, Jhilu Sahu, Rasmita Das, Amit Sahoo  
and Biswojit Lenka*

***Office bearers of the High Court Bar Association***



## High Court Bar Association



**Kali Prasanna Mishra**

*Senior Advocate, President of the High Court Bar Association*

*Assumed Office on 30<sup>th</sup> March, 2022*

The High Court Bar Association, Orissa, Cuttack was registered on 5<sup>th</sup> September, 1961 under Societies Registration Act, 1860. Mr. L.K. Das Gupta was the first President and

Mr Gangadhar Rath was the first Secretary of the Association. Presently, the Bar Association is headed by Mr. Kali Prasanna Mishra, Senior Advocate

### Office Bearers of the High Court Bar Association

Elected on 26.03.2022 (Saturday) for a term of one year

#### **President**

Kali Prasanna Mishra

#### **Vice-President**

Kshirod Kumar Rout

#### **Secretary**

Alok Prasad Nanda

#### **Joint Secretary**

Udit Ranjan Jena

#### **Assistant secretary**

Rashmi Ranjan Mishra

#### **Asst. Secretary (library)**

Mrs. Anita Nanda

### Executive body members

Amit Kumar Sahoo  
Rasmita Das  
Debi Prasad Mohanty  
Sushil Dash  
Jhilu Sahu  
Madhusmita Priyadarshini Debata  
Biswojeet Lenka  
Padma Kar  
Sarbeswar Sahoo

### Activities during the year

#### Observance of Lawyers' Day

174<sup>th</sup> Birth Anniversary of Utkal Gourav Madhusudan Das & Lawyers' Day was celebrated on 28<sup>th</sup> April, 2022 at the Saheed Bhawan, Cuttack. The Governor of Odisha Prof. Ganeshi Lal was the Chief Guest and Dr. Justice Bidyut Ranjan Sarangi was the Chief Speaker and Advocate General Ashok Kumar Parija was the Guest of Honour at the function. Designated Senior Advocates of the High Court of Orissa Jagannath Pattnaik, Manoj Kumar Mishra and Budhadev Routray were felicitated by the High Court Bar Association on the occasion.

#### International Yoga Day

International Yoga day was observed on 21<sup>st</sup> June, 2022 in the High Court Bar Association Premises. Lawyers in large numbers participated in the event.

#### Vaccination of lawyers and family members

COVID-19 booster dose vaccination programs were organized in the High Court Bar Association Hall on 23<sup>rd</sup> July, 2022, 6<sup>th</sup> August, 2022 and 9<sup>th</sup> August, 2022 to vaccinate the Members of the High Court Bar Association and their family members. Booster doses

were administered to the learned members with the help of medical professional.

#### Unveiling of portraits

The portraits of late Shri Jayant Das, Senior Advocate and late Shri Gangadhar Tripathy, Senior Advocate, two eminent lawyers of the High Court of Orissa, were unveiled by the Chief justice in presence of the Judges of High Court and the members of the Bar Association on 14<sup>th</sup> July, 2022 at the Bar Association Hall.

#### 75<sup>th</sup> Establishment Day of High Court of Orissa

75<sup>th</sup> Establishment Day of High Court of Orissa i.e. "STHAPNA KA AMRIT MAHOTSAV" Opening Lighting ceremony was organized by the Bar Association on 27<sup>th</sup> day of July, 2022 in the Convention Hall of the High Court. The Chief Justice inaugurated the lighting ceremony in the presence of Minister of Law, Government of Odisha Jagannath Saraka and Advocate General Ashok Kumar Parija.

#### Azadi Ka Amrit Mahostav

On 16<sup>th</sup> day of August, 2022 Azadi Ka Amrit Mahostav was observed in the Bar Association Hall in the presence of the Chief Justice and Judges of the High Court.



### Relief distribution Camp

The Bar Association organized relief distribution camps in the flood affected areas of Cuttack on 27<sup>th</sup> August, 2022 and provided relief to the flood affected persons.

### Visit of the Union Law Minister

Shri Kiren Rijju, the Minister of Law and Justice, Government of India visited the Bar Association Hall on 11<sup>th</sup> October 2022. A function was organized in the Convention Hall to welcome him in presence of the Chief Justice and Judges of the High Court.

### 80G Registration Certificate

The Bar Association received 80G Registration Certificate from the Income Tax Department, Government of India.

### Law Lecture

A law lecture was organized by the Bar Association, on the Topic “Art, Discipline &

Efficacy of Advocacy” on 1<sup>st</sup> day of December, 2022 in the Convention Hall of the High Court. Dr. Justice Bidyut Ranjan Sarangi, Dr. Justice Sanjeeb Kumar Panigrahi and Shri Sanjit Mohanty, Senior Advocate addressed the Bar members on the topic.

### Observance of the Death Anniversary of Dr. B.R. Ambedkar

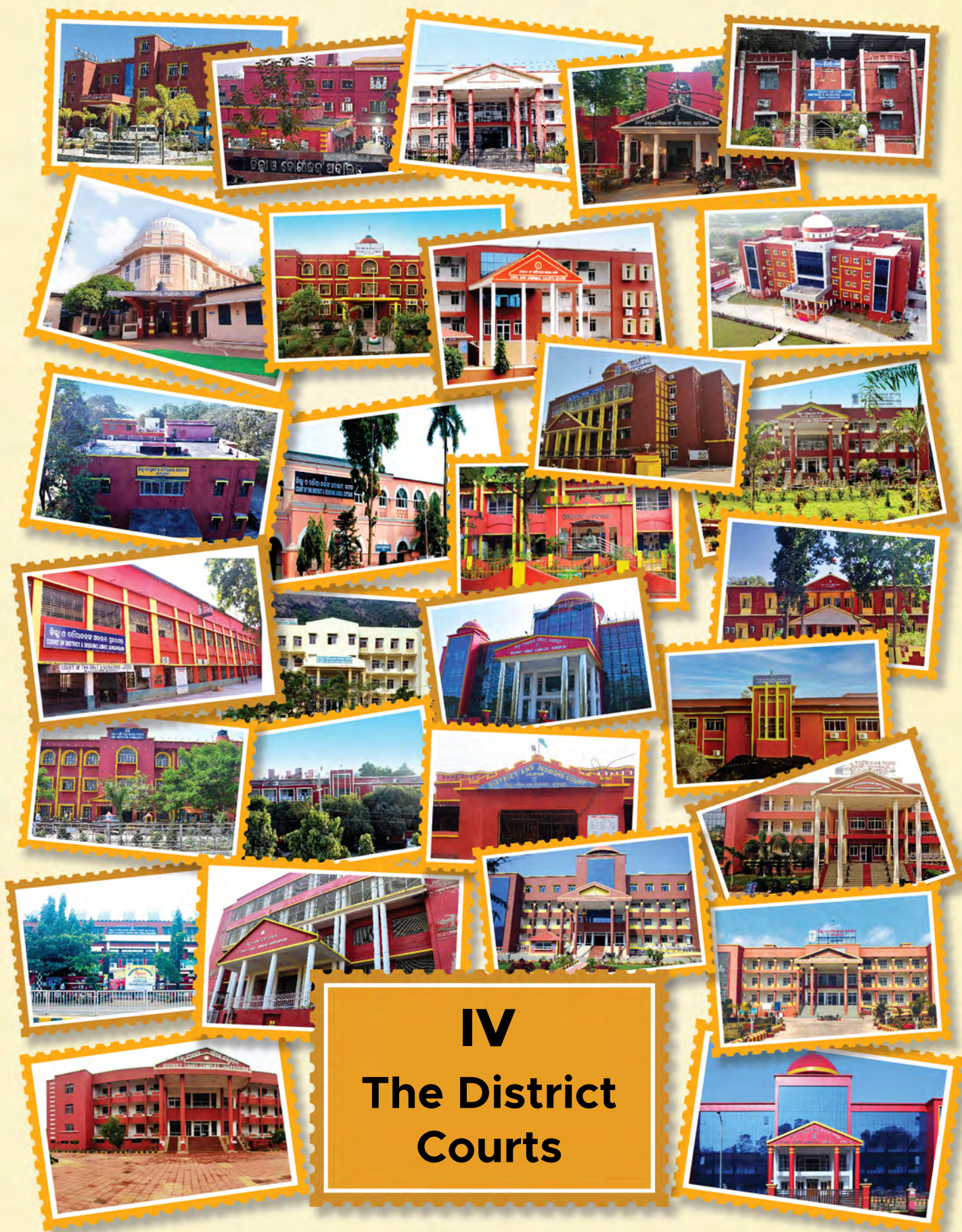
The death anniversary of Dr. B.R. Ambedkar was observed by the Bar Association on 6<sup>th</sup> December, 2022.

### Cricket Tournament

A Cricket Tournament between the High Court Bar Association and Board of Revenue Bar Association, Cuttack was held at the Naranapur Cricket ground, Trisulia. The Bar Association won the Champion Trophy on 11<sup>th</sup> Day of December, 2022 in the tournament organized by the Madhu Barrister Lawyers' Association, Cuttack.







# IV The District Courts





Heritage building of the High Court at night



## Case Statistics of the District Courts

The District Judiciary improved its performance as compared to the previous years. The institution and disposal statistics

of the District Courts for the last 5 years are indicated below for a comparative analysis.

### Disposal statistics of District Judiciary for last 5 years

Year	Institution	Disposal	Comparative rate of increase in disposal with previous year (%)	Case Clearance Rate (%) (Disposal vis-à-vis institution)
2018	3,97,074	2,54,746	-28.70	64.15
2019	4,10,782	2,96,535	+16.40	72.18
2020	2,84,805	1,26,077	-57.48	44.26
2021	4,34,810	2,38,588	+89.23	54.87
2022	5,52,948	5,15,392	+116.01	93.20

### Institution, disposal and the Case Clearance Rate at a glance

While the opening balance at the beginning of 2022 was 17, 89, 677, the closing balance at the end of the year was 18, 26, 100. Total institution during the year was 5, 52, 948 and the disposal was 5, 15, 392 cases at a Case Clearance Rate of 93.20%. The disposal of cases in District Courts increased by 116.01% in 2022 as compared to the disposal in 2021. The institution and disposal figure of both 2021 and 2022 includes the cases received from and transferred to other Courts. The institution of Criminal cases increased due to filing of 90, 393 cases under the M.V. Act as result of automatic challan based on CCTV image capture. Disposal in the months of January and February, 2022 decreased due to cease work. Disposal in the month of August increased due to Lok Adalat held on 13<sup>th</sup> August, 2022. Similarly disposal in the month of December increased due to withdrawal

of Forest and Excise cases (44, 989 cases). Minor discrepancies may at times be found in the statistics due to physical verification of records undertaken by different Courts in the State to get the correct statistics.

Judicial Officers' working strength and loss of working hours

240 working days are allotted for judicial working of the District Courts and each working day consists of 6 working hours. Average working strength of the district court judges against the average sanctioned strength of 982 in 2022 was 774. Average loss of working days in 2022 was 47.90 days due to cease work. The cumulative loss of judicial working hours of all the district courts was 2, 22, 447.6 hours (6 hrs x 47.90 days x 774 average strength of Judicial Officers). Detailed case statistics of the District Courts along with relevant information for 2022 are available on the website and given at

**Appendix-O.**



## Best Performing Districts

The work of the district and subordinate courts in Odisha is supervised by the High Court through its Judges in their capacity as the Administrative Judges of their respective districts as allocated by the Chief Justice. The High Court also has Committees monitoring various aspects of the functioning of the district and subordinate Courts.

It was therefore, felt necessary to evaluate the performance of the District Courts on various aspects like their judicial work, administrative capabilities and infrastructural management. Such a system of evaluation would encourage the Judicial officers to give their best, in whatever capacity and position they are working in. It was felt necessary to incentivise the officers by acknowledging the efforts put in by them for betterment of the system.

In this backdrop, the High Court formulated a scheme to assess the performance of the District Courts and discern the best performing districts. All the judgements across the State were classified into three categories;

- Judgements with more than 30 officers (Zone-A)
- Judgements between 20 to 30 officers (Zone-B)
- Judgements with less than 20 officers (Zone-C)

The table below depicts the zone-wise classification of the districts:

Sl. No.	Name of the District	Zone
1.	Ganjam	'A'
2.	Cuttack	
3.	Khurda	
4.	Balasore	
5.	Mayurbhanj	
6.	Bolangir	
7.	Sambalpur	

8.	Puri	'B'
9.	Sundargarh	
10.	Angul	
11.	Kalahandi	
12.	Keonjhar	
13.	Koraput	
14.	Dhenkanal	
15.	Nayagarh	
16.	Bargarh	
17.	Kendrapara	
18.	Jagatsinghpur	
19.	Jajpur	'C'
20.	Phulbani	
21.	Bhadrak	
22.	Raygada	
23.	Nawarangpur	
24.	Jharsuguda	
25.	Sonepur	
26.	Gajapati	
27.	Nuapada	
28.	Boudh	
29.	Malkanagiri	
30.	Deogarh	

Certain parameters were devised to assess the performance of the districts. Those parameters were divided into three categories, viz. Judicial, Administrative and Infrastructural. The details of the parameters and the Scheme are at **Appendix-P**. The evaluation was done on the basis of the information received from the District Judges, the reports of the concerned Administrative Judges and the Registry of the High Court. The evaluation sheets were collated and tabulated by the Annual Report Committee. On completion of the exercise Bolangir, Nayagrah and Deogarh were found to be the best performing Districts in Zone 'A', 'B' and 'C' respectively.





*The District and Sessions Judge and Judicial Officers of Balangir Judgeship  
Best Performing District in Zone 'A'*





*The District and Sessions Judge and Judicial Officers of Nayagarh Judgeship  
Best Performing District in Zone 'B'*





*The District and Sessions Judge and Judicial Officers of Deogarh Judgeship  
Best Performing District in Zone 'C'*



## ***District Judges' Conference, 2022***

After a gap of nine years, the District Judges' Conference was held by the High Court of Orissa in 2022. The two-and-half days conference was held at the Odisha Judicial Academy, Cuttack. It was inaugurated in the evening of 25<sup>th</sup> February, 2022 by Dr. S. Muralidhar, the Chief Justice of the High Court of Orissa in presence of the sitting and former Judges of the High Court. It ended on 27<sup>th</sup> February. The Annual Report 2021 published after a gap of six years by the High Court of Orissa, was released in the inaugural function of the Conference.

### **Interaction with the Presiding Officers of Tribunals, Commissioner of Endowments, Special Judges (Vigilance) and Judges of Family Courts in virtual mode**

On 22<sup>nd</sup> and 23<sup>rd</sup> February, 2022 interactions were held with the Presiding Officers of Tribunals, Commissioner of Endowments, Wakf Board, Special Judges (Vigilance) and Judges of Family Courts in virtual mode. Issues relating to their functioning were discussed. They were advised to ensure speedy disposal of cases and to apply the principle laid down in Asian Resurfacing of Road Agency Pvt Ltd & Another v. Central Bureau of Investigation in (2018) 16 SCC 299 of 2013 in appropriate cases. The Judges of Family Courts were advised to resort to conciliation, closely monitor the functioning of counselors and hold frequent interactions with them. They

were also advised to take the help of DLSAs for mediation and conciliation among the parties.

### **The Conference**

The 30 District Judges and 30 Chief Judicial Magistrates participated in the Conference from 25<sup>th</sup> to 27<sup>th</sup> February, 2022. Various issues relating to judicial administration were discussed. The broad heads of issues discussed in the conference and the resolutions adopted are indicated below.

#### **I. Rationalization of distribution of cases**

- (1) Conferment of cognizance power
- (2) Distribution of case records
- (3) Utilization of leave reserve Magistrates
- (4) Striking a balance of cases between GR file and Trial file
- (5) Creating awareness on videoconferencing facility
- (6) Optimum use of officers and staff in the cease work period
- (7) Fulfillment of the logistic and other requirements of the officers and staff
- (8) Role of Court Managers in timely submission of statements/statistics

#### **II. Issues relating to Juvenile Justice Board**

- (1) Requirement of a designated judge to exclusively act as PM, JJB

- (2) Pendency and low disposal by JJBs and quarterly review by District Judges
- (3) Shifting of CILs to the place of safety

### III. Infrastructure

- (1) Alienation of lands and fencing of alienated sites to prevent encroachment
- (2) Selection of executing agency and model standard of plans and estimates and monitoring of construction works for ensuring quality and timely completion.
- (3) Dedicated agency for execution of construction projects.
- (4) Upkeep and cleaning of court buildings
- (5) Security and safety of court buildings and judicial officers
- (6) Residential quarters for judicial officers and staff
- (7) Maintenance and upkeep of Court Malkhanas
- (8) Maintenance and upkeep of District Court Record Rooms

### IV. Pendency and disposal of 25 and 40 years old cases

- (1) Pendency and disposal of year old civil cases with special reference to cases more than 25-40 years old, final decree proceedings and execution cases.
- (2) Pendency and disposal of year old criminal cases with special reference to cases more than 25/40 years old.
- (3) Non-execution of warrants and non-realization of fines and reasons of like nature leading to delay in disposal of cases.

### V. Rules

- (1) Renaming of Sections/Departments/ Posts in District Courts viz. Nizarat, English

office, Sheristadar, Toilet, Duftary, Hazat, Malkhana etc.

- (2) Dealing with unused question papers and used answer sheets etc. of the District Court's recruitment process.
- (3) Incorporation of provision in GR & CO for dealing with unidentified seized items.
- (4) Incorporation/modification in G.R. & C.O. for revamping the method and modalities of destruction of disposed of case records in District Court Record Room on the lines of the High Court of Orissa Rules.
- (5) Incorporation/Modification of provision in G.R. & C.O. for laying down the methods and modalities of issue and service of processes especially on official witnesses through email.
- (6) Declaration of SPIO in the Subordinate Courts by amending Orissa High Court RTI Rules, 2005.
- (7) Provisions for destruction of case records by shredding instead of burning.
- (8) SOP for preservation of digital photographs and videos of seized vehicles and NDPS items.
- (9) Dealing with multiplicity of case nos. arising after implementation of ICJS (Interoperable Criminal Justice System)- doing away with system of allotting G.R. No. to Criminal cases prior to receipt of charge sheets and not showing the said cases in pendency till allotment of GR number.

### VI. Inspection

- (1) Timeline of notes of inspection
- (2) Timeline of compliance
- (3) Days to be devoted by the District Judges for inspection



- (4) Days to be devoted by the Chief Judicial Magistrates for inspection
- (5) Maintenance of registers by PM, JJB
- (6) New register for entry of compensation amount in NI Act cases.
- (7) Insertion of one new column in R-8 (Witness register) for witnesses examined through video conferencing

## **VII. Information and Communication Technology**

- (1) Video Conferencing in Court proceedings
  - (a) Power Supply with back-up facility.
  - (b) The recording of Court proceedings conducted through VC should be stored in cloud besides local server.
  - (c) VC Cabin in Jails and observation homes in remote places
  - (d) Use of digital signature pads to reduce the loss of time in three deposition sets.
  - (e) Dedicated VC Platform by Government to avoid additional cost for licenses, etc.
  - (f) Proper training for Remote point coordinators along with Court point Coordinators.
  - (g) Increasing number of Virtual Courtrooms.
- (2) Digitization of disposed of case records in District Courts
  - (a) Addressing Space requirement for District Court Digitization Centres (DCDC)
  - (b) Resolving shortage of manpower required for verification of scanned case records.

(c) Addressing the difficulty in identifying case records for digitization.

(d) Devising means for preservation of electronic records which form part of disposed of case records identified for digitization.

Implementation and usage of e-filing module of e-Committee, Supreme Court of India in District and Subordinate Courts.

Usage of Computers in performance of day-to-day official work

Status of MPLS connectivity and Internet connectivity in Courts

Accessing National Judicial Data Grid (NJDG) on regular basis for effective Court Management & Addressing discrepancy between case statistics as per physical record and statistics shown in NJDG

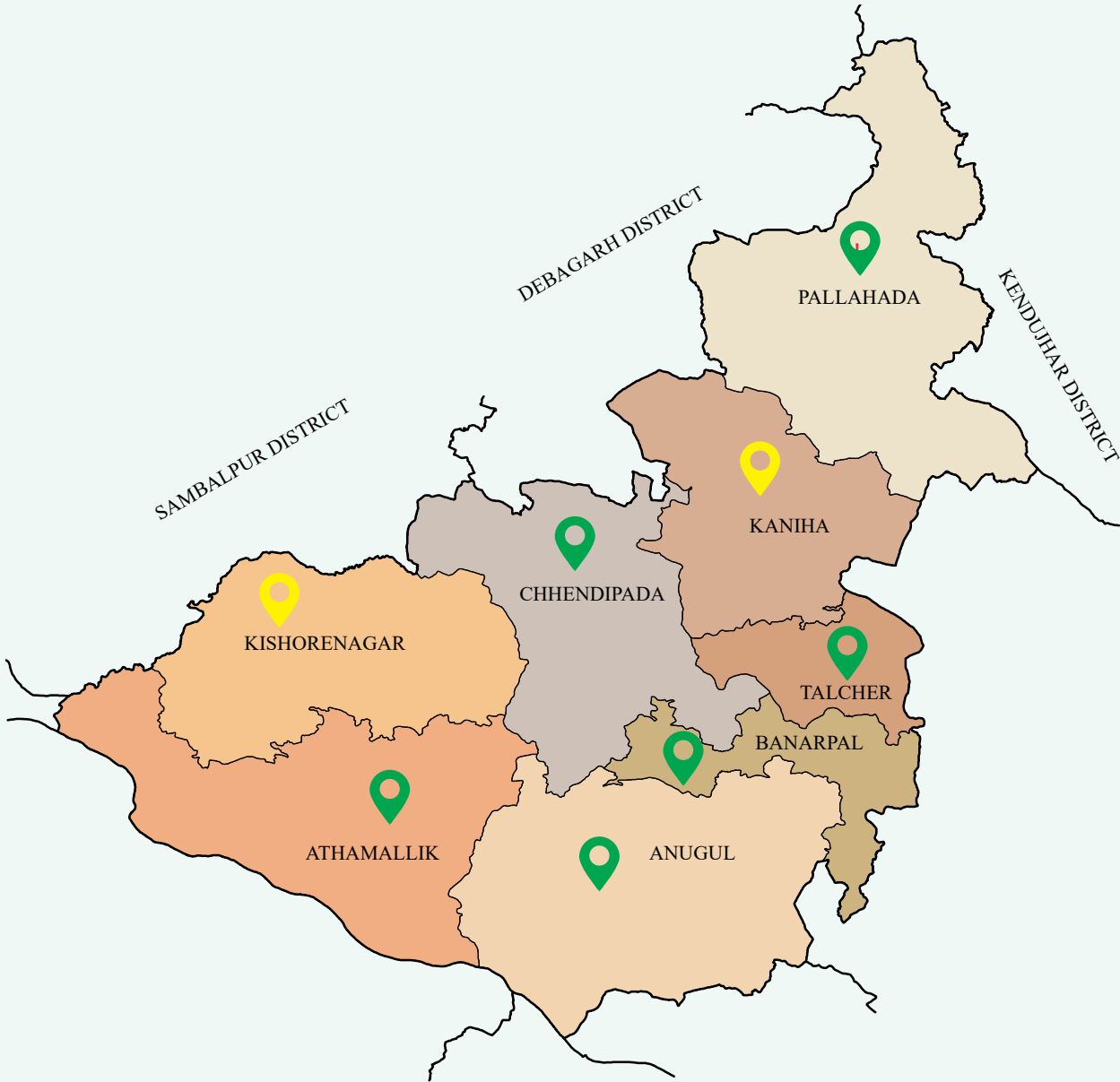
Commencing Paperless Court system in District and Subordinate Courts.

Dealing with e-Waste

## **VIII. Rape cases and cases under POCSO Act**

Concerns were raised over the alarming rise in rape cases and cases under POCSO Act and delay in disposed of those cases. It was resolved that such cases would be given priority and in view of the availability of virtual courtroom facility in the District Courts of Angul, Bhadrak, Nayagarh and Malkangiri, those districts were selected as the pilot districts to fast track the disposed of such cases. Accordingly, guidelines were issued for the Court, the police and the prosecution.

# Angul

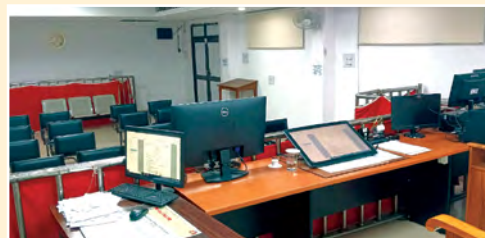
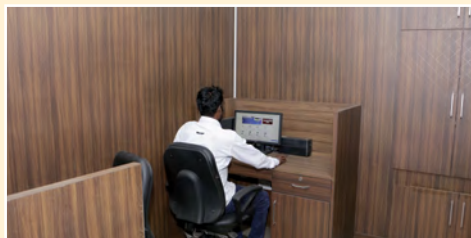


 Existing Court Complex  Proposed Court Complex





*District Court Building, Angul*



*From left to right of the top row- e-filing station, e-Library and paperless court room  
From left to right of the bottom row- VWDC, video linkage room and record room*

Angul Judgeship with its headquarters at Angul was separated from its parent judgeship Dhenkanal on 31<sup>st</sup> July, 2012. Currently, this judgeship has five outlying stations situated at Talcher, Athmallik, Pallahara, Chhendipada and Banarpal. 23 different courts are functioning in this judgeship. The Old District Court complex started functioning in 1996. There are 2 courts still functioning there. The New Court complex

was inaugurated on 21<sup>st</sup> April, 2018. It includes one Virtual Court Room, e-Sewa Kendra, V.C. cabin, e-prosecution, and record room.

1. The e-Library in the District Bar Association, Angul was inaugurated and made functional with effect from 22<sup>nd</sup> March 2022.
2. The Vulnerable Witness Deposition Centre in the District Court Complex,

Angul was inaugurated and made functional with effect from 2<sup>nd</sup> April, 2022.

3. The e-Filing station in the District Court Complex, Angul was inaugurated and made functional with effect from 14<sup>th</sup> May, 2022.
4. The Court of Additional District and Sessions Judge became paperless on 17<sup>th</sup> September, 2022.

The District Court Digitization Hub (DCDH) was inaugurated on 12<sup>th</sup> December, 2022 and

it serves as a hub for Dhenkanal.

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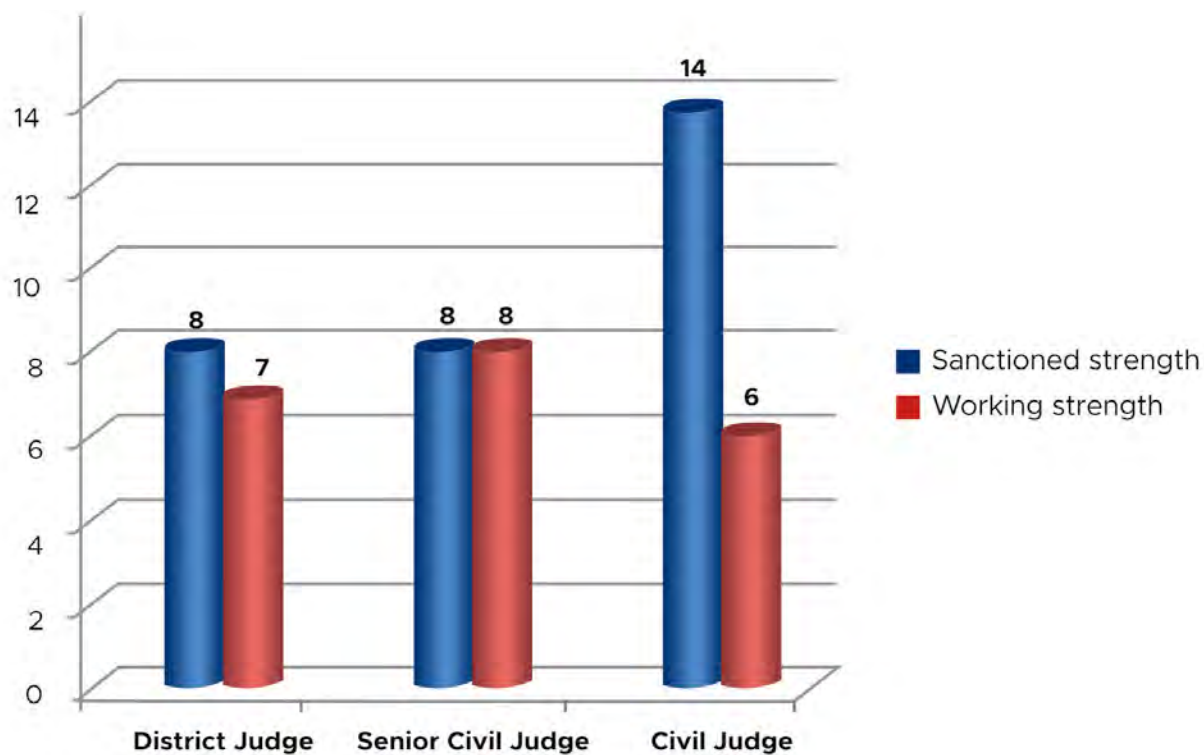
Dr. Bhagyalaxmi Rath was the District and Sessions Judge till 5<sup>th</sup> February, 2022. Shri Pranab Kumar Patra took over on 8<sup>th</sup> February, 2022.

The Judgeship was last inspected on 27<sup>th</sup> August, 2022 by the Administrative Judge Justice A. Sinha.

Apart from the District and Sessions Judge, the judgeship consists of the following courts.

Name of the Court	Number of Courts
Judge Family Court	1
Addl. District and Sessions Judge	4 (includes one Court of ADJ (LR))
Exclusive POCSO Special Court	1
Ad-hoc ADJ (FTSC)	1
Special Judge, Vigilance	1
Chief Judicial Magistrate	1
A.S.J.-cum-Registrar, Civil Courts	1
Senior Civil Judge	3 (includes 1 Court of Senior Civil Judge (LR))
Addl. Senior Civil Judge	1
Sub-Divisional Judicial Magistrate	4
Civil Judge (Jr. Divn.)-cum-J.M.F.C.	3 (includes one cognizance taking Court of Civil Judge (Jr. Divn.)-cum-J.M.F.C)
Addl. C.J.-cum-J.M.F.C.	2
JMFC	4 (includes 2 Courts of JMFC (LR))



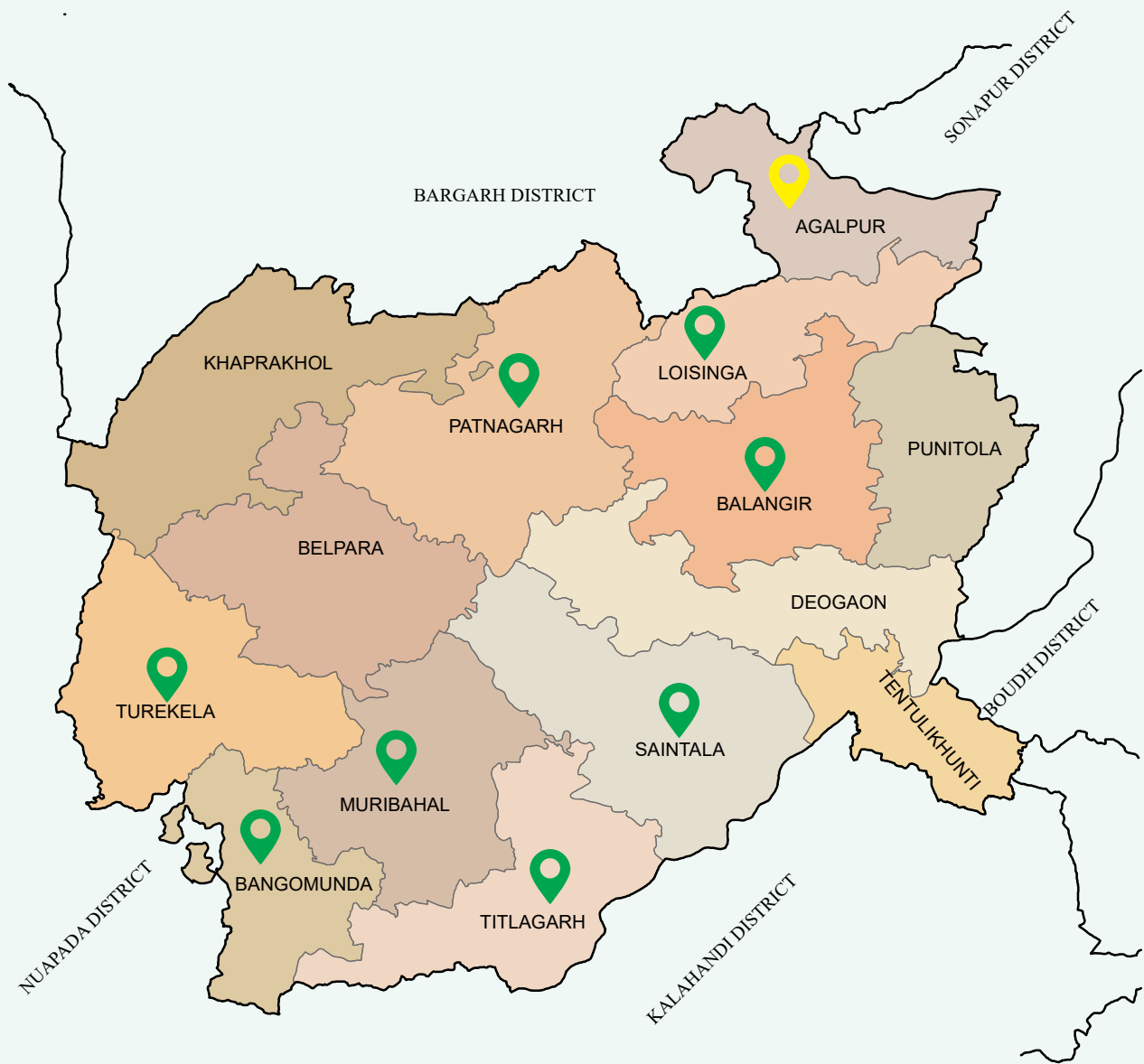


Number of judges in each court

### Case Statistics

Year	Opening Balance			Institution			Disposed of			Pending Cases at the end of 31 <sup>st</sup> December		
	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total
2021	9,431	50,317	59,748	1,712	28,159	29,871	1,512	6,263	7,775	9,631	7,6642	86,273
2022	9,631	76,642	86,273	2,493	22,705	25,198	2,685	17,928	20,613	9,439	81,419	90,858

# Balangir



 Existing Court Complex     Proposed Court Complex





*District Court Building, Balangir*



*From left to right of the top row- paperless Court, store house and VWDC waitingroom  
From left to right of the bottom row-virtual Court room, e-filing Centre and helpdesk*

The combined judgship of Bolangir-Kalahandi started functioning with effect from 17<sup>th</sup> June, 1948 with its head quarters at Bolangir. The Judgship of Kalahandi was separated from Bolangir on 28<sup>th</sup> February, 1982. After demarcation of Sonapur (Subarnapur) as a separate district, the Bolangir and Sonapur Judgship continued to function in a combined manner till 22<sup>nd</sup> June, 2012 when the judgship Sonapur was separated. The outlying stations of Bolangir are at Kantabanji, Titlagarh, Luisingha, Saintala, Muribahal, Patnagarh and Bangomunda.

The District Court is functioning in its old building which was inaugurated on 10<sup>th</sup> August, 1980 and it has 18 courts. The District Court along with other subordinate courts are functioning in the old structure and has an approximate area of 51,591 sq. ft.

The Construction of 16 E-Type and 16 F-Type Quarters for Staff of the Civil Courts was completed on 5<sup>th</sup> November 2022 by R&B at an estimated cost of 7 crores.

The Court of District and Sessions Judge became paperless on 17<sup>th</sup> September, 2022. Balangir comes under the DCDH at Sonapur which was inaugurated on 12<sup>th</sup> December, 2022.

Shri Lokanath Mohapatra was the District and Sessions Judge till 15<sup>th</sup> July, 2022. Shri Lalatendu Jena took over on 20<sup>th</sup> July, 2022.

The Judgship was last inspected on 18<sup>th</sup> December, 2021 by the Administrative Judge Justice B. Rath.

Apart from the District and Sessions Judge, the judgship consists of the following courts.

Name of the Court	Number of Courts
Judge Family Court	1
Addl. District and Sessions Judge	5
Exclusive POCSO Special Court	1
Ad-hoc ADJ (FTSC)	1
Special Judge, Vigilance	1
Special Judge Special Court	1
Chief Judicial Magistrate	1
A.S.J.-cum-Registrar, Civil Courts	1
Senior Civil Judge	5 (includes 1 Court of Senior Civil Judge (LR))
Addl. Senior Civil Judge	1
Sub-Divisional Judicial Magistrate	3
Civil Judge (Jr. Divn.)-cum-J.M.F.C.	5
Special Railway Magistrate	1
JMFC	7 (includes 1 Court of JMFC (LR))
Special Judicial Magistrate	1





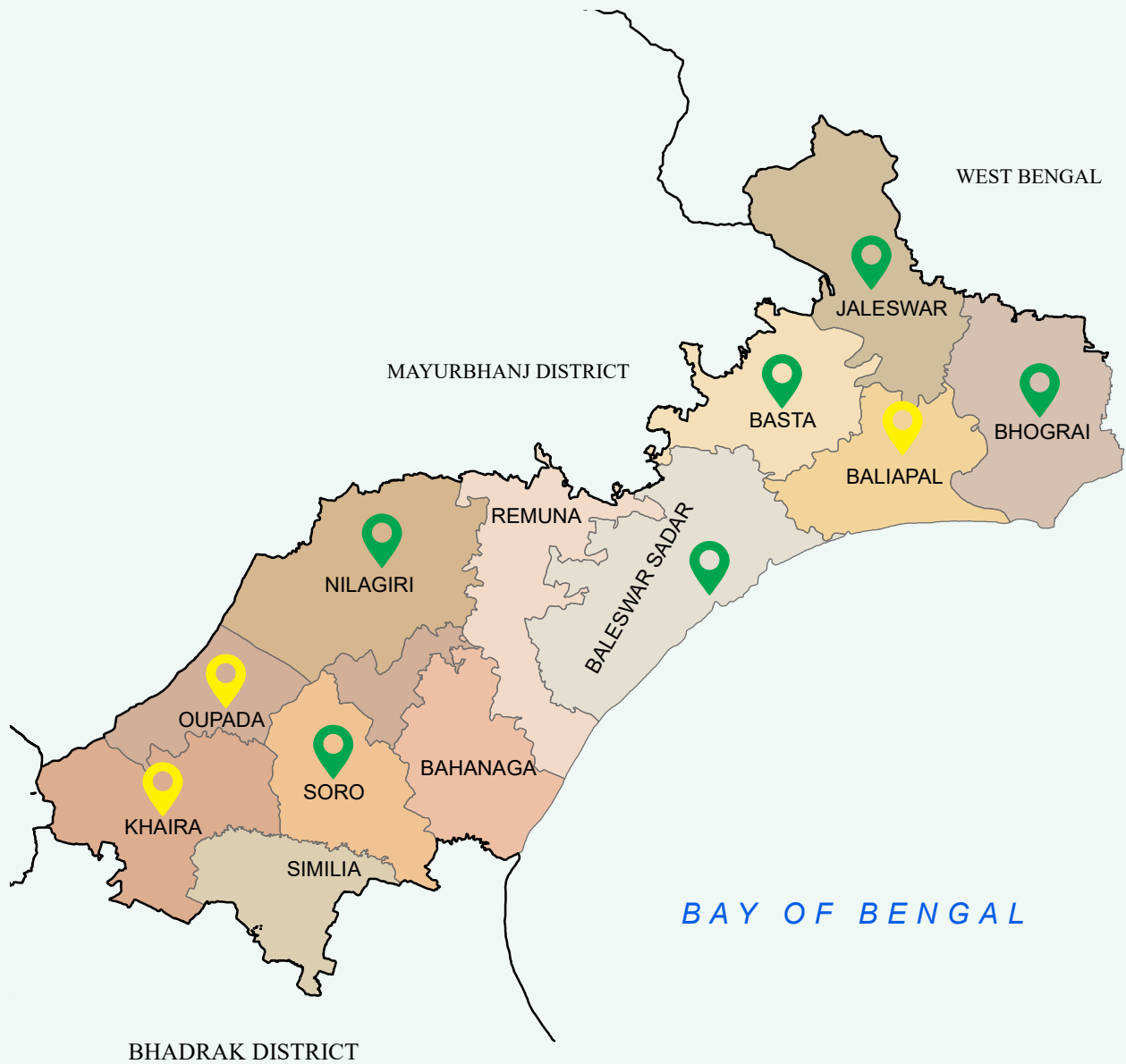
Number of judges in each court

## Case Statistics

Year	Opening Balance			Institution			Disposed of			Pending Cases at the end of 31 <sup>st</sup> December		
	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total
<b>*2021</b>	6,638	36,145	<b>42,783</b>	1,432	11,735	<b>13,167</b>	1,215	8,031	<b>9,246</b>	6,840	39,830	<b>46,670</b>
<b>2022</b>	6,840	39,830	<b>46,670</b>	1,811	16,255	<b>18,066</b>	1,900	14,018	<b>15,918</b>	6,751	42,067	<b>48,818</b>

\*Closing Balance changed due to physical verification

# Balasore



 Existing Court Complex  Proposed Court Complex





*District Court Building, Baleswar*



*From left to right of the top row- paperless Court, record room and blood donation camp  
From left to right of the bottom row-training on disaster management, drawing competition and training on fire fighting*

Till 1948, this district was under the combined judgeship of Cuttack-Balasore-Sambalpur. After the merger of princely states in 1948, it came under Keonjharjudgeship. When the ex-State of Mayurbhanj merged with the state of Orissa in 1949, it remained under the Mayurbhanj judgeship with its headquarters at Baripada till 1949. The District Judge stationed at Baripada was holding a Circuit Court at Balasore, from 1915 till 1957-58. A post of Additional District and Sessions Judge, Mayurbhanj was created in 1957-1958 with the headquarters at Balasore. Balasore became

an independent judgeship on 15<sup>th</sup> January, 1959. The outlying stations of Balasore are at Jaleswar, Nilgiri, Basta, Bhogarai and Soro.

The Courts of Vigilance Judge and the Chief Judicial Magistrate became paperless on 22<sup>nd</sup> September, 2022.

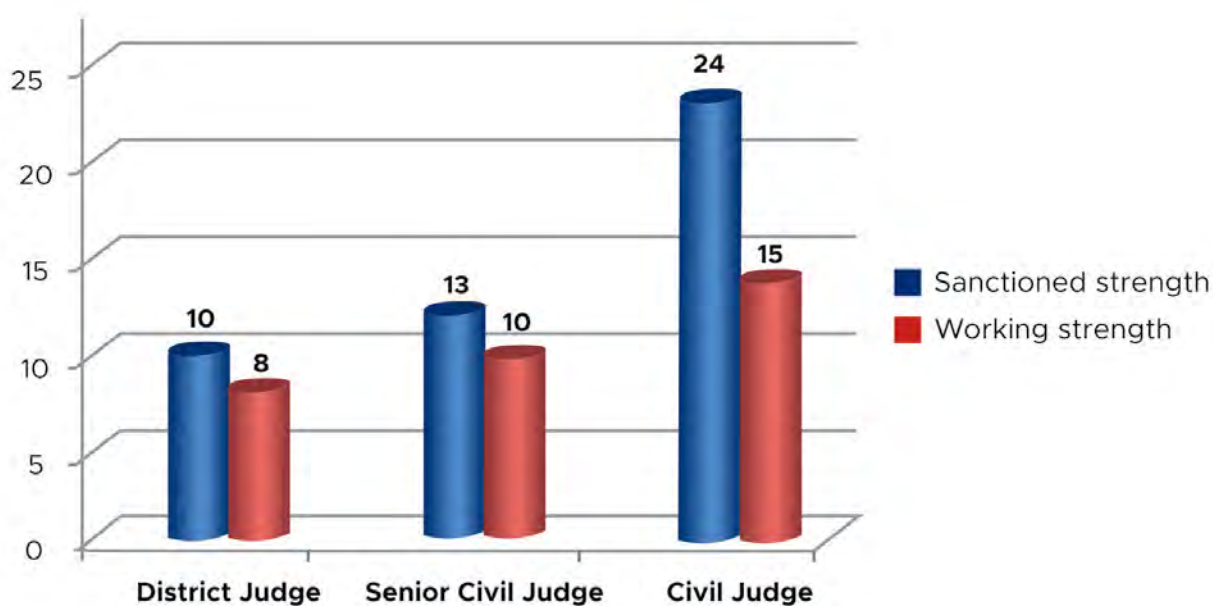
Shri Bhagaban Pradhan was the District and Sessions Judge till 12<sup>th</sup> September, 2022. Shri Asanta Kumar Das took over on 14<sup>th</sup> September 2022.

The Judeship was last inspected on 21<sup>st</sup> May, 2022 by the Administrative Judge Justice D. Dash.

Apart from the District and Sessions Judge, the judgeship consists of the following courts.

Name of the Court	Number of Courts
Judge Family Court	1
Addl. District and Sessions Judge	4 (includes 1 Court of ADJ (LR))
Exclusive POCSO Special Court	1
Ad-hoc ADJ (FTSC)	1
Special Judge, Vigilance	1
Special OPID Court	1
Special Court (SC & ST)	1
Chief Judicial Magistrate	1
A.S.J.-cum-Registrar, Civil Courts	1
Senior Civil Judge	4
Addl. Senior Civil Judge	3
Sub-Divisional Judicial Magistrate	2
Civil Judge	1
Civil Judge (Jr. Divn.)-cum-J.M.F.C.	3
Addl. Civil Judge-cum-JMFC	4
JMFC	12 (includes 2 Courts of JMFC (LR), 1 Court of JMFC (Rural) and 1 Court of JMFC (City))
Special Judicial Magistrate	1
Gramyanyayadhikari	1





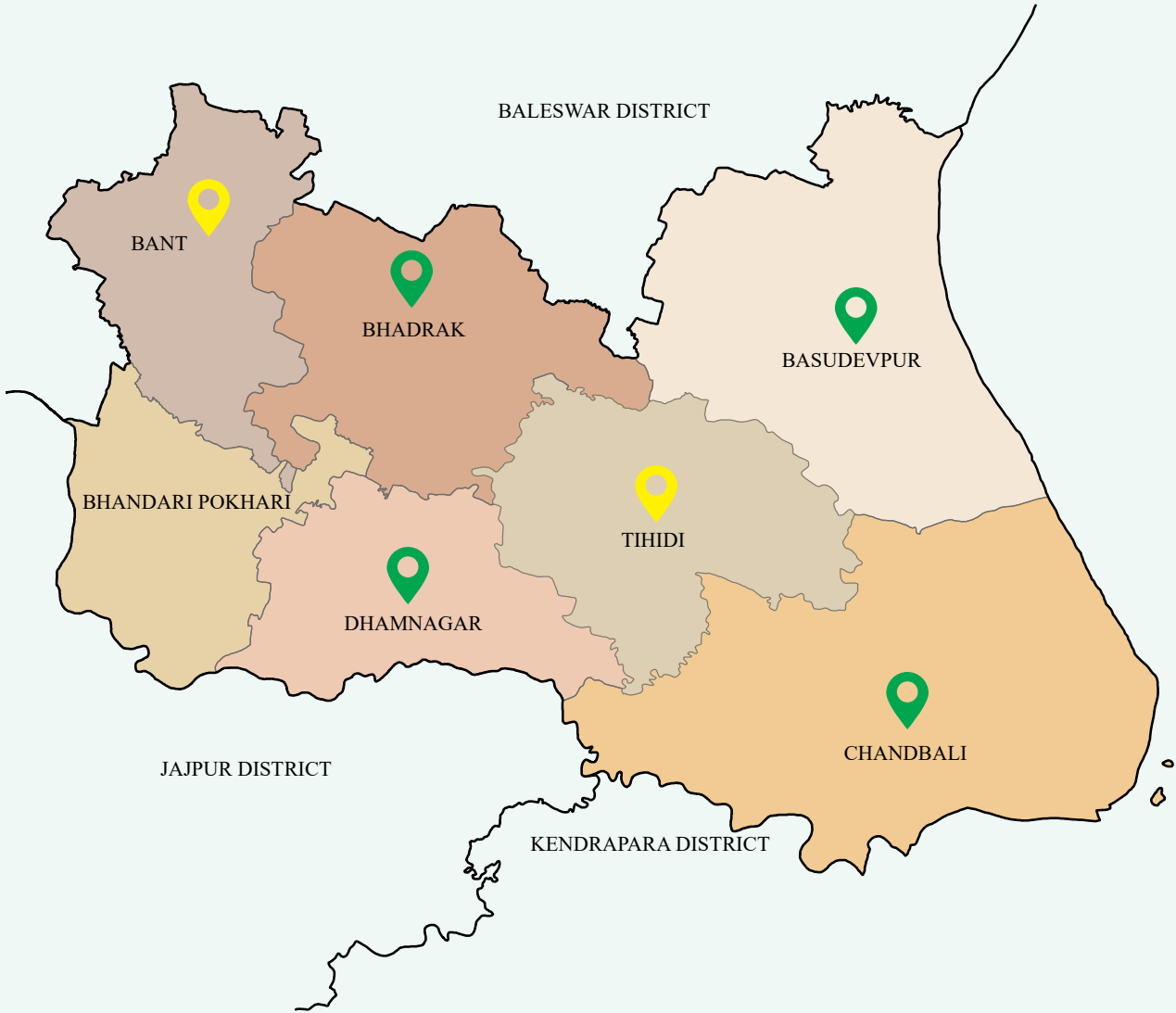
Number of judges in each court

### Case Statistics

Year	Opening Balance			Institution			Disposed of			Pending Cases at the end of 31 <sup>st</sup> December		
	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total
<b>2021</b>	34,682	85,953	<b>1,20,635</b>	9,485	13,465	<b>22,950</b>	5,427	9,957	<b>15,384</b>	38,882	89,526	<b>1,28,408</b>
<b>*2022</b>	38,882	89,526	<b>12,8408</b>	10,279	14,873	<b>25,152</b>	9,537	18,947	<b>28,484</b>	39,454	85,418	<b>1,24,872</b>

\*Closing Balance changed due to physical verification

# Bhadrak

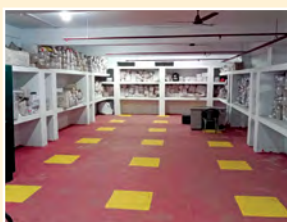


 Existing Court Complex     Proposed Court Complex





*District Court Building, Bhadrak*



*From left to right of the top row waiting room of VWDC and health camps  
From left to right of the bottom row-Dhamnagar Court inauguration, store house and  
Court building of Chandbali*

In 1901, a Munsif court was established in the region. Until 1900, the litigants had to go to Jajpur for filing Civil Cases. The Court of Civil Judge (Senior Division), Bhadrak and Additional District Judge, Bhadrak

were established in the year 1966 and 1987 respectively.

After reconstitution of the districts in the state, the new revenue district of Bhadrak was constituted in 1993. Subsequently,

the court of District and Sessions Judge, Bhadrak was established on 21<sup>st</sup> May, 2011 after being separated from Balasore with its outlying stations at Basudevpur, Chandbali and Dhamnagar.

The Construction of Court Building for JMFC & Gram Nyayalaya at Dhamnagar was completed on 12<sup>th</sup> February, 2022 by OSPH & WC Ltd. (Odisha State Police Housing & Welfare Corporation Ltd.) at an estimated cost of Rs. 5.83 crores. Construction of Court Building for JMFC & Gram Nyayalaya at Chandbali was completed on 11<sup>th</sup> February, 2022 by OSPH & WC Ltd. at an estimated cost of Rs. 5.83 crores. Foundation stone of the additional Bar Association Hall with Amenity Centre at the District Court Complex

at Bhadrak was laid on 12<sup>th</sup> February, 2022 and the project is to be executed by R&B (Roads and Building) at an estimated cost of Rs. 3.61 Crores.

The Court of District and Sessions Judge became paperless on 17<sup>th</sup> September, 2022. The District Court Digitization Hub (DCDH) was inaugurated on 12<sup>th</sup> December, 2022 and it serves as a hub for Jajpur and Kendrapara.

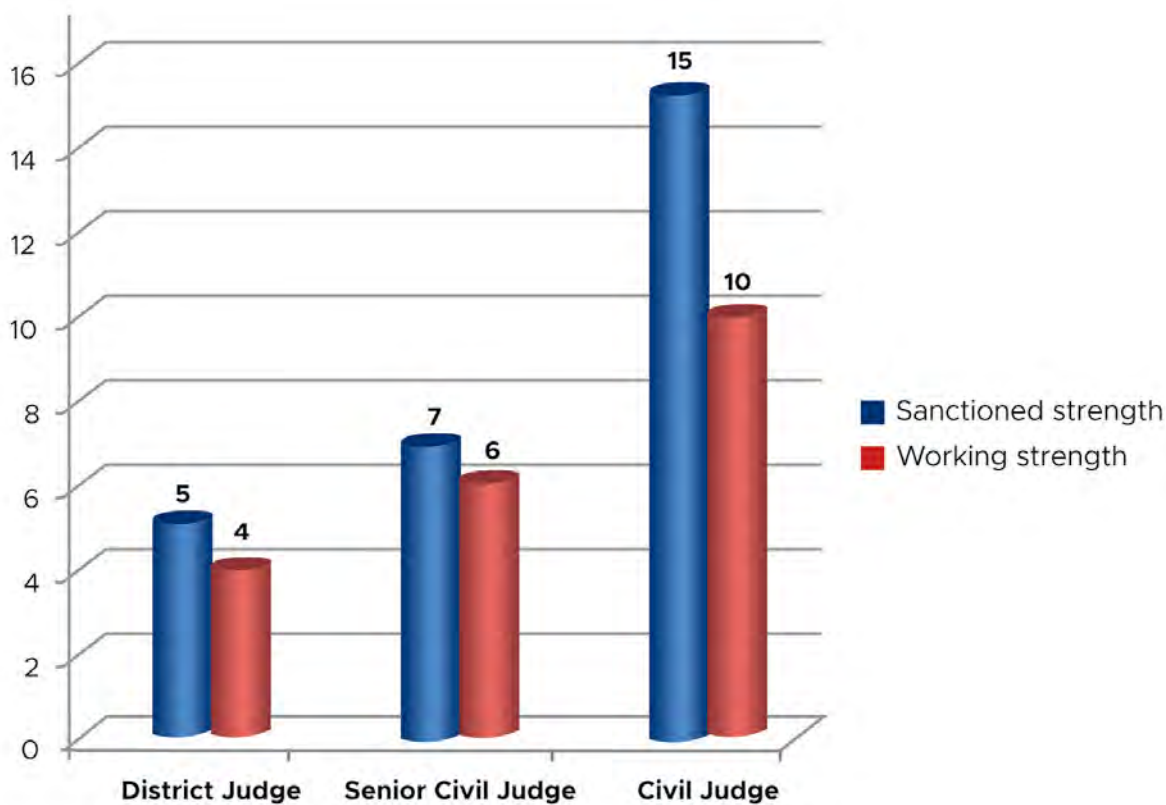
Shri Pradyumna Kumar Nayak was the District and Sessions Judge throughout the year.

The Judeship was last inspected on 23<sup>rd</sup> November, 2022 by the Administrative Judge Justice Sashikanta Mishra.

Apart from the District and Sessions Judge, the judgship consists of the following courts.

Name of the Court	Number of Courts
Judge Family Court	1
Addl. District and Sessions Judge	1
Exclusive POCSO Special Court	1
Ad-hoc ADJ (FTSC)	1
Chief Judicial Magistrate	1
A.S.J.-cum-Registrar, Civil Courts	1
Senior Civil Judge	2
Addl. Senior Civil Judge	1
Sub-Divisional Judicial Magistrate	1
Civil Judge	1
Civil Judge (Jr. Divn.)-cum-J.M.F.C.	3
Addl. Civil Judge-cum-JMFC	1
JMFC	7 (includes 2 Courts of JMFC (LR), and 2 cognizance taking JMFC Courts)
Special Judicial Magistrate	1





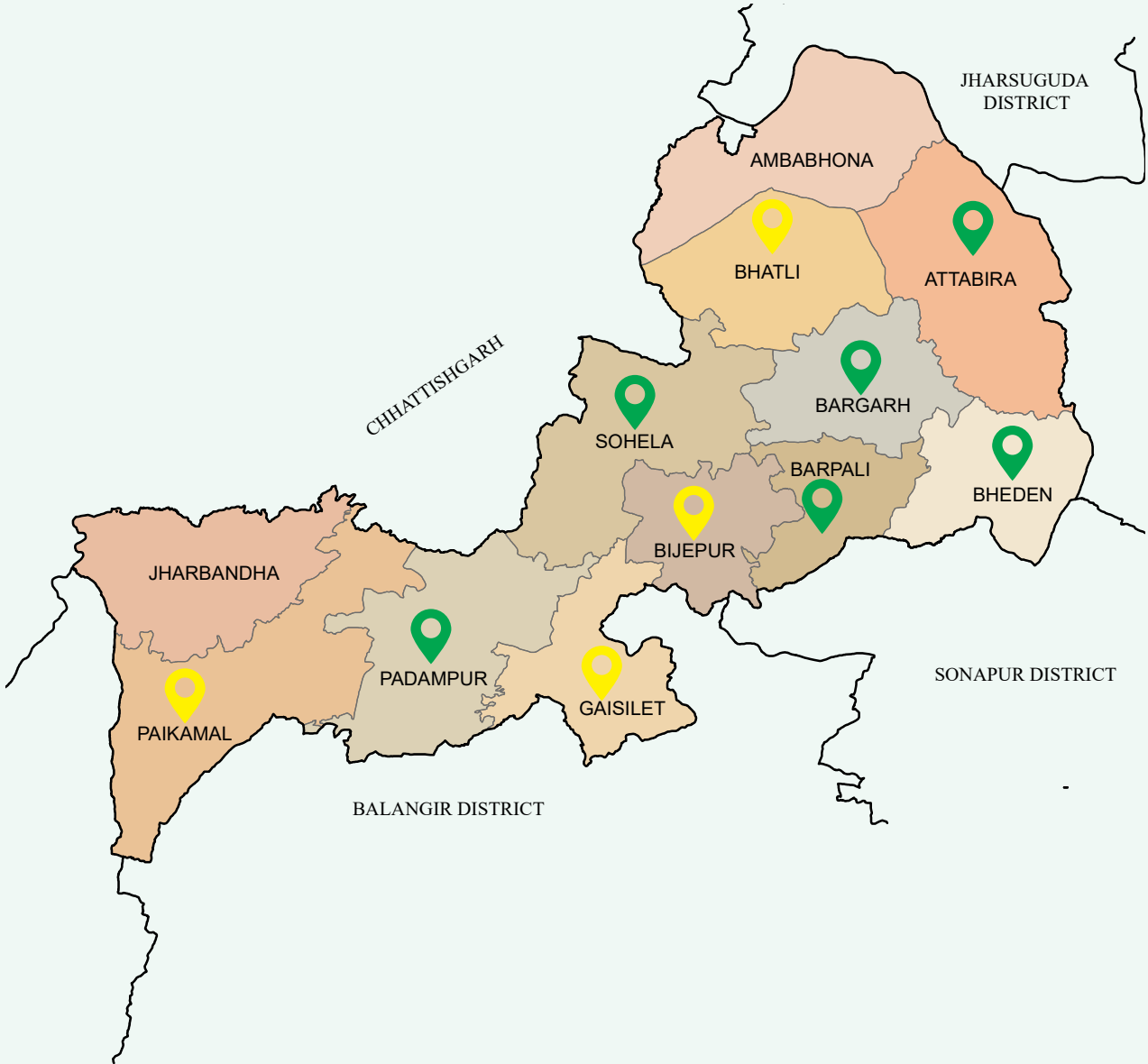
Number of judges in each court

### Case Statistics

Year	Opening Balance			Institution			Disposed of			Pending Cases at the end of 31 <sup>st</sup> December		
	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total
<b>*2021</b>	28,661	55,848	<b>84,509</b>	4,209	12,864	<b>17,073</b>	2,390	4,417	<b>6,807</b>	30,523	64,279	<b>94,802</b>
<b>*2022</b>	30,523	64,279	<b>94,802</b>	4,402	13,248	<b>17,650</b>	5,125	10,355	<b>15,480</b>	29,757	66,527	<b>96,284</b>

\*Closing Balance changed due to physical verification

# Bargarh



 Existing Court Complex  Proposed Court Complex





*District Court Building, Bargarh*



*From left to right of the top row-ICT training for advocates and the staff and a paperless Court  
From left to right of the bottom row-record room, store house and a paperless Court*

With the formation of a separate province of Odisha in 1936, Bargarh district was carved out incorporating the areas of two sub-divisions, Bargarh and Padmapur from the erstwhile district of Sambalpur in March 1993.

The Judgeship of Bargarh was separated from its parent judgeship Sambalpur with effect

from 12<sup>th</sup> July, 2011 and the Court of District and Sessions Judge started functioning at Bargarh with outlying courts at Padmapur, Sohella, Barpalli, Attabira and Bheden.

The Court of Chief Judicial Magistrate became paperless on 22<sup>nd</sup> September, 2022.

The Court of Chief Judicial Magistrate became

paperless on 22<sup>nd</sup> September, 2022.

Bargarh comes under the DCDH at Sambalpur which was inaugurated on 12<sup>th</sup> December, 2022.

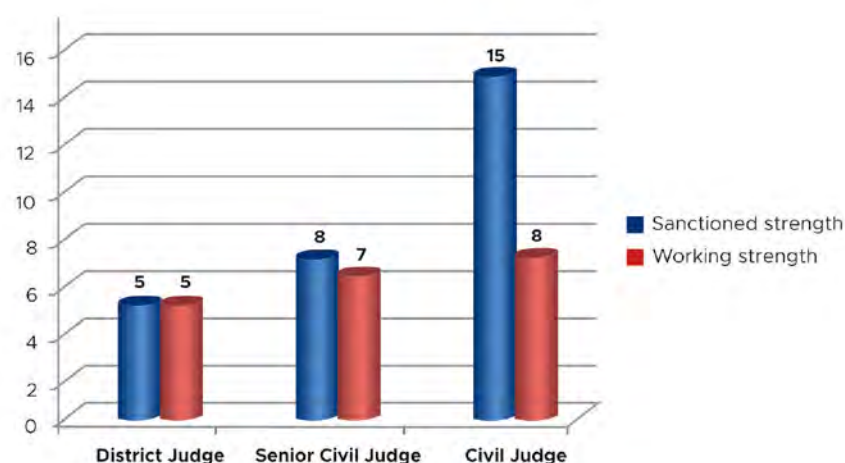
Shri Asim Kumar Dalbehera was the District and Sessions Judge till 15<sup>th</sup> July, 2022. Smt.

Luna Mohanty took over on 19<sup>th</sup> July, 2022.

The Judeship was last inspected on 11<sup>th</sup> November, 2022 by the Administrative Judge, Justice Chittaranjan Dash.

Apart from the District and Sessions Judge, the judgship consists of the following courts.

Name of the Court	Number of Courts
Judge Family Court	1
Addl. District and Sessions Judge	2
Exclusive POCSO Special Court	1
Chief Judicial Magistrate	1
A.S.J.-cum-Registrar, Civil Courts	1
Senior Civil Judge	4 (includes one women's Court)
Sub-Divisional Judicial Magistrate	2
Civil Judge	1
Civil Judge (Jr. Divn.)-cum-J.M.F.C.	3
JMFC	5 (includes 1 Court of JMFC (LR))
Gramyanyayaadshikari	1



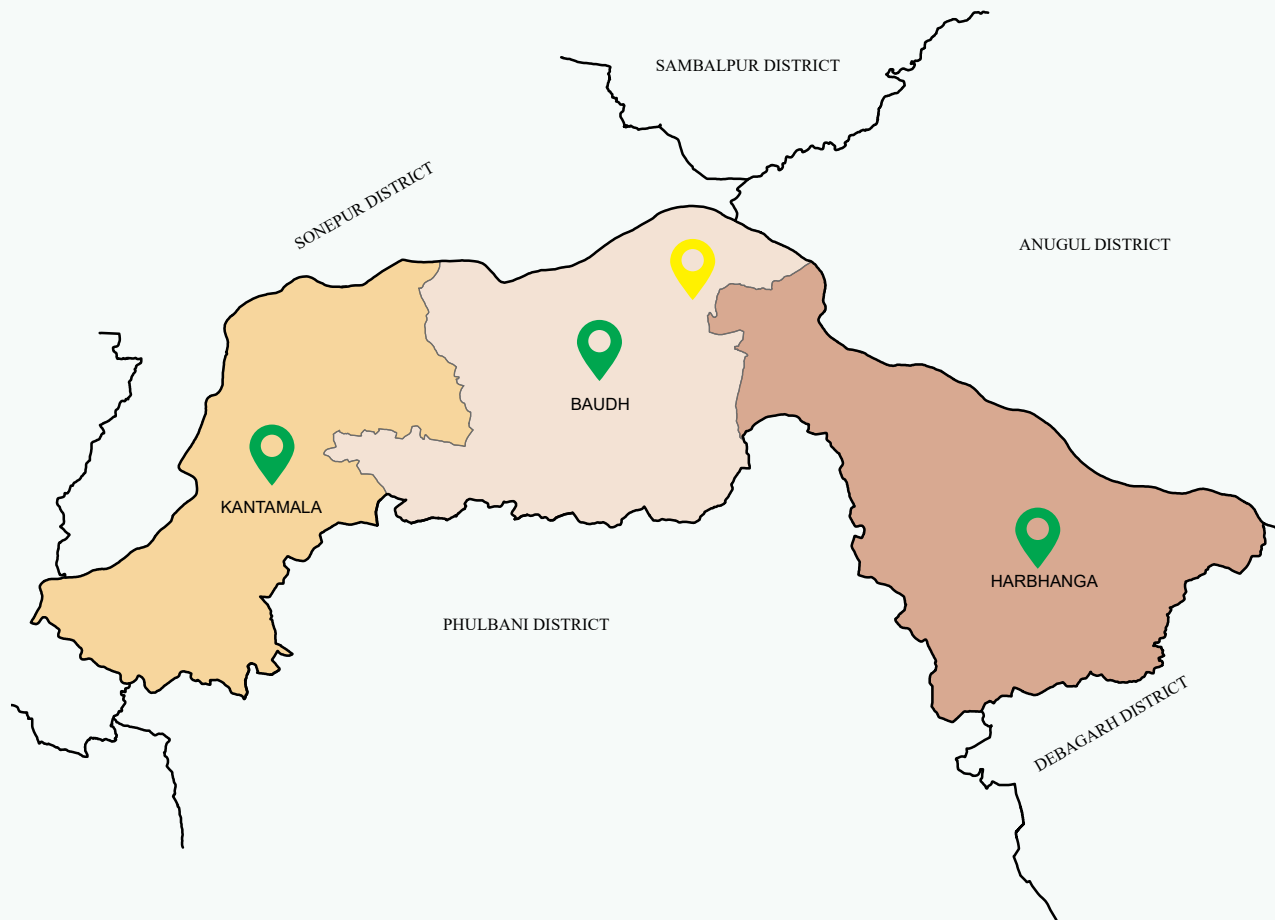
Number of judges in each court

## Case Statistics

Year	Opening Balance			Institution			Disposed of			Pending Cases at the end of 31 <sup>st</sup> December		
	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total
2021	5,964	41,094	47,058	1,323	7,036	8,359	881	4,015	4,896	6,287	44,088	50,375
2022	6,287	44,088	50,375	1,552	8,815	10,367	1,621	7,060	8,681	6,218	45,843	52,061



# Boudh



 Existing Court Complex  Proposed Court Complex



*District Court Building, Boudh*



*From left to right of the top row- VWDC, drawing competition and yoga day celebration  
From left to right of the bottom row-record room, store house and health camp*

Boudh was a sub-division of the erstwhile Boudh-Kandhamal District. On 2<sup>nd</sup> January, 1994, it became the district headquarters of a separate district called Boudh that was carved out of the Boudh-Kandhamal district. Earlier the consolidated Judgeship of Kandhamal-Boudh and Phulbani was part of the undivided Judgeship of Ganjam.

The judgeship of Kandhamal-Boudh and Phulbani was separated from the undivided Judgeship of Ganjam-Berhampur on

11<sup>th</sup> August, 1984. The Boudh judgeship was finally separated from Kandhamal-Boudh and began operating with effect from 6<sup>th</sup> October, 2012.

The construction of the new court building began on 24<sup>th</sup> October, 2014 and was completed on 2<sup>nd</sup> December, 2018 at a cost of Rs.15.32 crores. The work was entrusted to R & B for the construction of the 3<sup>rd</sup> floor in the Court Building. There are 11 Court rooms in the building. The other facilities available in



the building include a ramp, wheelchairs for the physically handicapped and elderly, lift, power backup facilities. The outlying stations of Boudh are at Kantamal and Harabhanga.

The Court of Chief Judicial Magistrate became paperless on 17<sup>th</sup> September, 2022.

Boudh comes under the DCDH at Sonapur

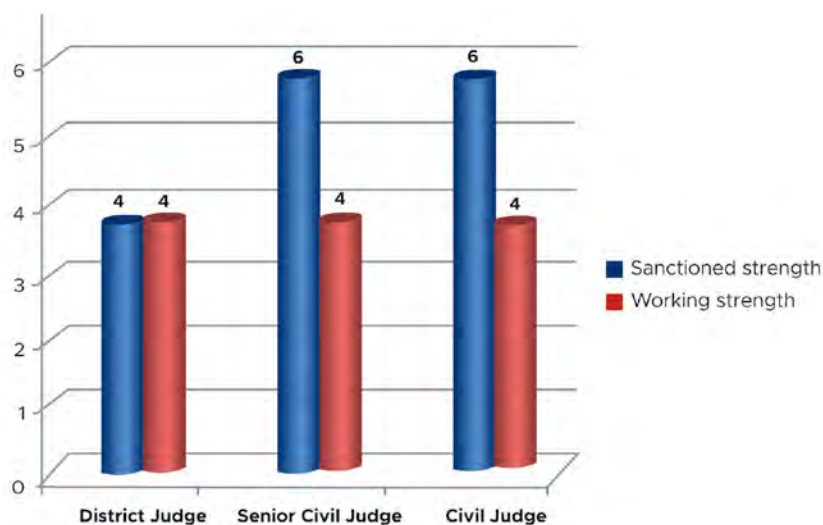
which was inaugurated on 12<sup>th</sup> December, 2022.

The judgeship was last inspected on 30<sup>th</sup> September, 2022 by the Administrative Judge, Justice A. Sinha.

Shri Bikram Pradhan was the District and Sessions Judge throughout the year.

Apart from the District and Sessions Judge, the judgeship consists of the following courts.

Name of the Court	Number of Courts
Judge Family Court	1
Addl. District and Sessions Judge	2
Chief Judicial Magistrate	1
A.S.J.-cum-Registrar, Civil Courts	1
Senior Civil Judge	1
Sub-Divisional Judicial Magistrate	1
Civil Judge (Jr. Divn.)-cum-J.M.F.C.	2
JMFC	3 (includes 1 Court of JMFC (LR))



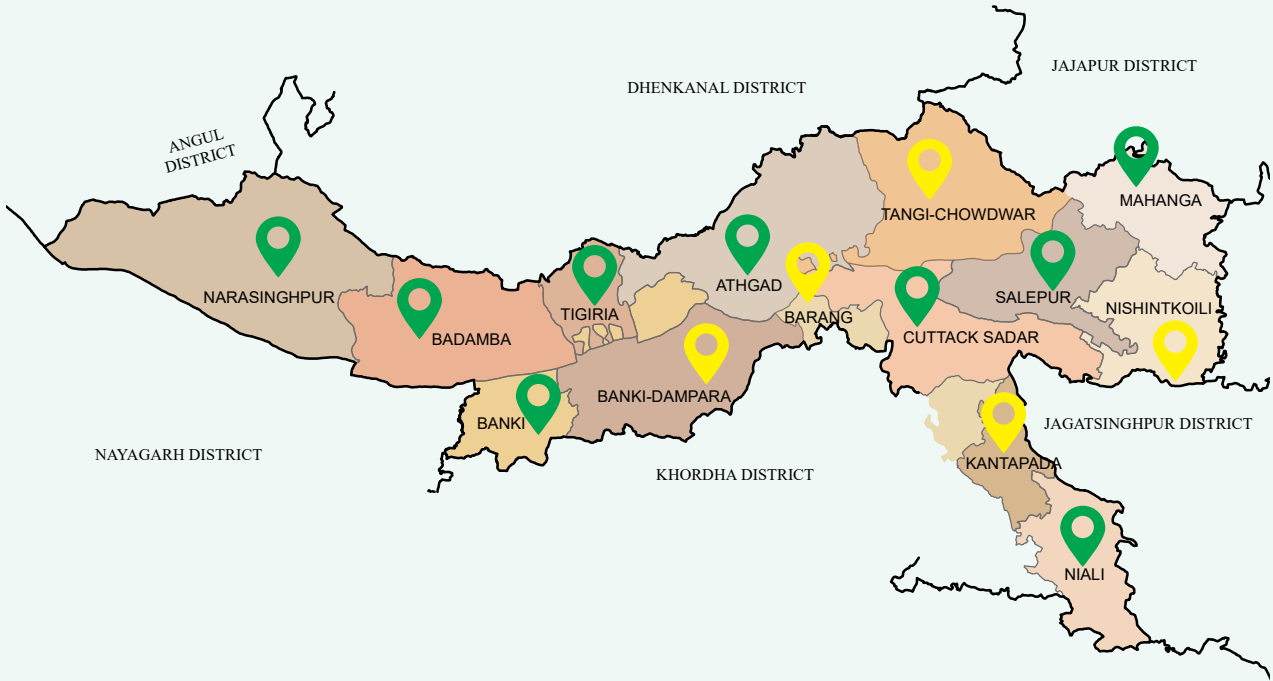
Number of judges in each court

## Case Statistics

Year	Opening Balance			Institution			Disposed of			Pending Cases at the end of 31 <sup>st</sup> December		
	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total
<b>*2021</b>	1,053	12,088	<b>13,141</b>	480	2,281	<b>2,761</b>	300	1,580	<b>1,880</b>	1,164	12,713	<b>13,877</b>
<b>2022</b>	1,164	12,713	<b>13,877</b>	472	6,172	<b>6,644</b>	453	2,965	<b>3,418</b>	1,183	15,920	<b>17,103</b>

\*Closing Balance changed due to physical verification

# Cuttack



 Existing Court Complex     Proposed Court Complex





*District Court Building, Cuttack*



The Judgeship of Cuttack started functioning in 1936. It covered a huge area encompassing the Revenue Districts of Cuttack, Balasore and Puri as well as the Princely State of Dhenkanal. Subsequently, Puri and Balasore had their separate Judgeships and therefore, Cuttack Judgeship was confined to the Revenue District of Cuttack and Dhenkanal till 1977, when the Judgeship of Dhenkanal was separated. The then Judgeship of Cuttack

extended to the Revenue Districts of Cuttack, Kendrapara, Jajpur and Jagatsinghpur from the year 1977. On 26<sup>th</sup> and 28<sup>th</sup> June, 2012, Kendrapara and Jajpur became separate Judgeships respectively. Today, Cuttack is the largest judgeship of the state in terms of the number of courts with outlying stations at Athagarh, Narsinghpur, Baramba, Banki, Salipur, Tigiria and Niali.

The District Court is functioning in the old building

comprising old District Court building, Civil Court extension building and Track Court Building in the District Court Complex. The old Court building is spread over approximately 28,503 sq. ft. of land. The Civil Courts extension building is spread over approximately 39,097 sq. ft. of land. The Track Court building is spread over approximately 12,597 sq. ft.

The Courts of Addl. Senior Civil Judge-5 and Senior Civil Judge (Commercial Court) became paperless on 17<sup>th</sup> September, 2022.

The District Court Digitization Hub (DCDH) was inaugurated on 12<sup>th</sup> December, 2022 and it serves as a hub for Khorda, Puri and Jagatsinghpur.

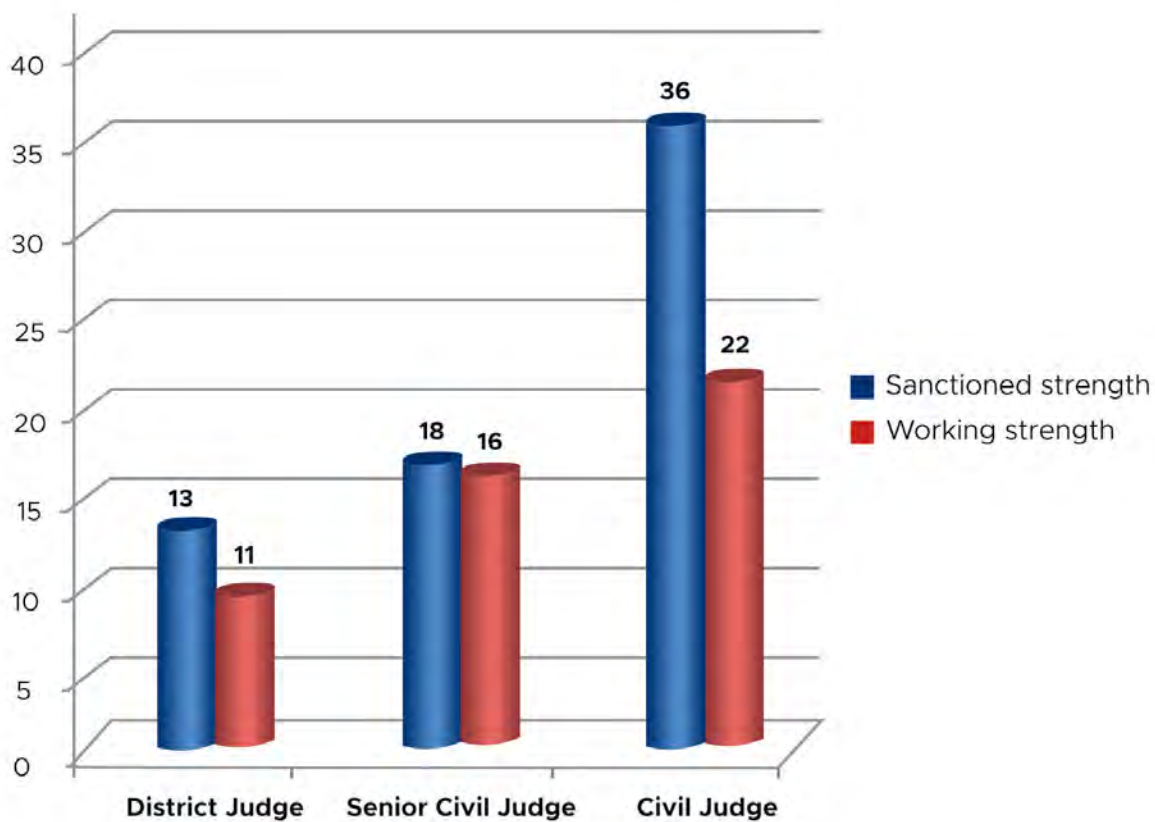
Shri Bidyut Kumar Mishra was the District and Sessions Judge till 15<sup>th</sup> July, 2022 and Shri Sowmendra Kumar Rajguru took over on 20<sup>th</sup> July, 2022.

The Judgeship was last inspected on 17<sup>th</sup> November, 2022 by the administrative Judge Mr. Justice Jaswant Singh.

Apart from the District and Sessions Judge, the judgeship consists of the following courts.

Name of the Court	Number of Courts
Judge Family Court	1
Addl. District and Sessions Judge	6 (includes 1 Court of ADJ (LR))
Exclusive POCSO Special Court	1
Ad-hoc ADJ (FTSC)	1
Special Judge Vigilance	2
Special Judge Special Court	1
Authorized Officer Special Judge Special Court	1
Special OPID Court	1
Special Court (SC & ST)	1
Sale Tax Tribunal	3
State Transport Appellate Tribunal	1
LAR & R Authority	1
WAKF Tribunal	1
Chief Judicial Magistrate	2
A.S.J.-cum-Registrar, Civil Courts	1
Senior Civil Judge	6 (includes one Commercial Court)
Addl. Senior Civil Judge	5
Sub-Divisional Judicial Magistrate	3
Civil Judge	2
Civil Judge (Jr. Divn.)-cum-J.M.F.C.	3
JMFC	25 (includes 1 Court of JMFC (City), 1 Court of JMFC (Rural), 1 Court of Transport magistrate, 4 cognizance taking JMFC Courts and 2 Courts of JMFC (LR))



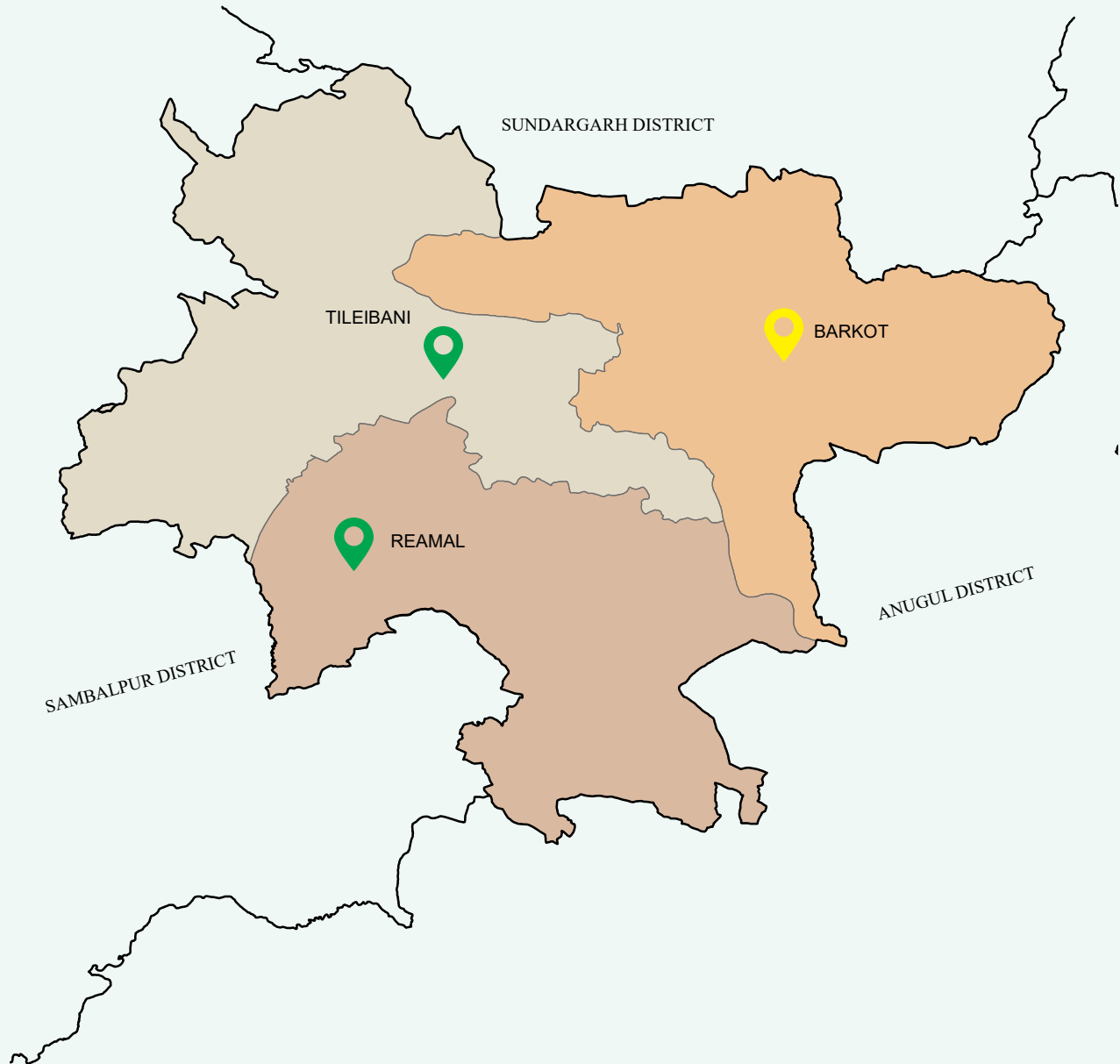


Number of judges in each court

### Case Statistics

Year	Opening Balance			Institution			Disposed of			Pending Cases at the end of 31 <sup>st</sup> December		
	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total
2021	37,641	1,107,44	1,483,85	10,209	39,441	49,650	8,683	19,089	27,772	39,207	1,30,984	1,70,191
2022	40,576	1,30,984	1,71,560	9,755	54,345	64,100	10,118	26,625	36,743	40,213	1,58,704	1,98,917

# Deogarh



 Existing Court Complex  Proposed Court Complex





*District Court Building, Deogarh*



*From left to right of the top row- a paperless Court, e-filing centre and e-library  
From left to right of the bottom row-record room, storehouse and drawing & painting competition*

The Judgeship of Deogarh came into existence on 20<sup>th</sup> April, 2013 after being separated from the parent Judgeship of Sambalpur.

The District Court is functioning in the New Building at Purunagarh, Deogarh. The new

district court building was constructed at the cost of nearly Rs. 17 crores. There are 12 Court rooms in the New Court Building. The other facilities available in the building are 6 lifts, Air Conditioners in all Court

Halls, Chambers of the Presiding Officers and Offices, Barhall and offices. There is one outlying station at Riamal.

The Courts of Judge Family Court and Senior Civil Judge became paperless on 17<sup>th</sup> September, 2022.

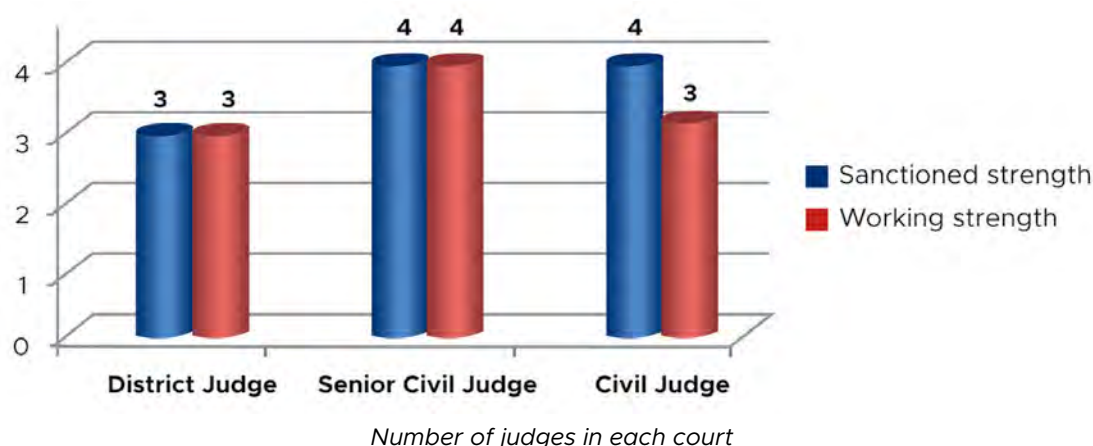
Deogarh comes under the DCDH at Sambalpur which was inaugurated on 12<sup>th</sup> December, 2022.

Shri Bijay Kumar Patra was the District and Sessions Judge till 16<sup>th</sup> July, 2022. Shri Goutam Sharma took over on 20<sup>th</sup> July, 2022.

The Judgeship was last inspected on 30<sup>th</sup> November, 2022 by the administrative Judge, Mr. Justice S.K Sahoo.

Apart from the District and Sessions Judge, the judgeship consists of the following courts.

Name of the Court	Number of Courts
Judge Family Court	1
Addl. District and Sessions Judge	1
Chief Judicial Magistrate	1
A.S.J.-cum-Registrar, Civil Courts	1
Senior Civil Judge	1
Sub-Divisional Judicial Magistrate	1
Civil Judge (Jr. Divn.)-cum-J.M.F.C.	1
JMFC	2 (includes 1 Court of JMFC (LR))



### Case Statistics

Year	Opening Balance			Institution			Disposed of			Pending Cases at the end of 31 <sup>st</sup> December		
	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total
<b>2021</b>	799	11,792	<b>12,591</b>	325	3,292	<b>3,617</b>	269	1,004	<b>1,273</b>	855	14,080	<b>14,935</b>
<b>2022</b>	855	14,080	<b>14,935</b>	413	4,294	<b>4,707</b>	425	3,819	<b>4,244</b>	843	14,555	<b>15,398</b>



# Dhenkanal



 Existing Court Complex     Proposed Court Complex



*District Court Building, Dhenkanal*



*From left to right- VWDC, storehouse and record room*

The judgeship of Dhenkanal was constituted into a District Judgeship and Sessions Division on 22<sup>nd</sup> December, 1976. After separation of the Angul Judgeship, the administrative jurisdiction of the District and Sessions Court, Dhenkanal extended to the Subordinate Courts at the outlying stations. The outlying stations are at Hindol, Kamakhyanagar, Bhuban, Parjang, Gondia and Odapada.

The District Court is functioning in a two storied old building which has 12 Court rooms. The Construction of B-Type Residential quarters for Vigilance Judge at Dhenkanal was completed on 8<sup>th</sup> July, 2022 at an estimated cost of Rs. 84.90 Lakhs. Construction of

B-Type Residential quarters for Judge, Family Court at Dhenkanal was completed on 8<sup>th</sup> July, 2022 at an estimated cost of Rs. 84.90 Lakhs. Construction of C-Type residential quarters for the Secretary, DLSA, Dhenkanal was completed on 8<sup>th</sup> July, 2022 at an estimated cost of Rs. 71.17 Lakhs and Construction of C-Type Residential quarters for Sr. Civil Judge (Women) at Dhenkanal was completed on 8<sup>th</sup> July, 2022 at an estimated cost of Rs. 71.17 Lakhs. All these projects have been executed by the Executing Agency OSPH & WC Ltd.

The Court of Chief Judicial Magistrate became paperless on 17<sup>th</sup> September, 2022.



Dhenkanal comes under the DCDH at Angul which was inaugurated on 12<sup>th</sup> December, 2022.

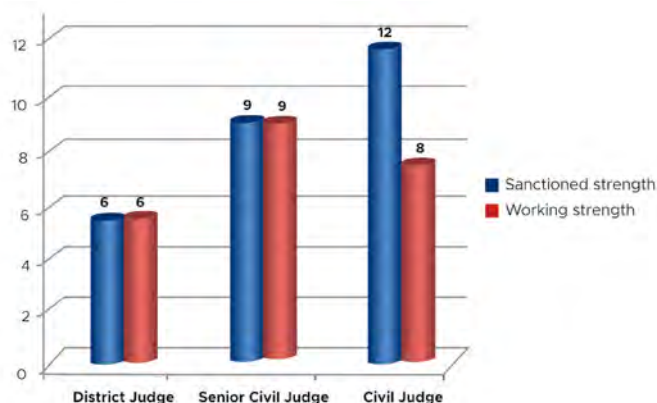
Shri Sarat Kumar Dehury was the District and Sessions Judge till 31<sup>st</sup> July, 2022. After him Shri Satyapira Mishra continued till

6<sup>th</sup> September, 2022 and Shri Jagdish Prasad Mohanty took over on 9<sup>th</sup> September, 2022.

The Judgeship was last inspected on 26<sup>th</sup> November, 2022 by administrative Judge Justice B.P. Routray.

Apart from the District and Sessions Judge, the judgeship consists of the following courts.

Name of the Court	Number of Courts
Judge Family Court	1
Addl. District and Sessions Judge	2
Exclusive POCSO Special Court	1
Ad-hoc ADJ (FTSC)	1
Special Judge Vigilance	1
Chief Judicial Magistrate	1
A.S.J.-cum-Registrar, Civil Courts	1
Senior Civil Judge	5 (includes one women's Court and 1 Court of Senior Civil Judge (LR))
Addl. Senior Civil Judge	1 (OEAT)
Sub-Divisional Judicial Magistrate	3
Civil Judge (Jr. Divn.)-cum-J.M.F.C.	3
JMFC	5 (includes 1 cognizance taking JMFC and 1 Court of JMFC (LR))

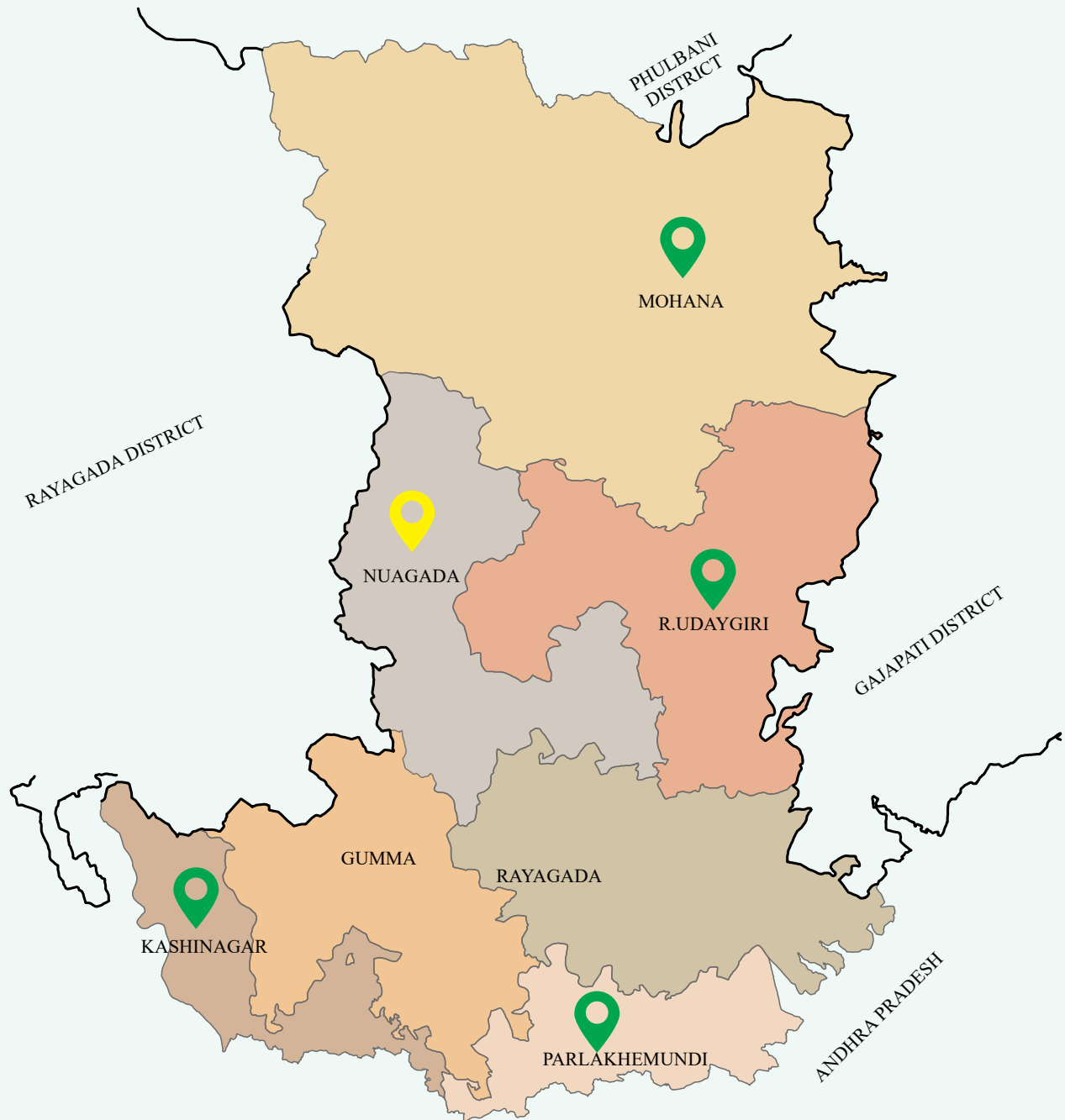


Number of judges in each court

### Case Statistics

Year	Opening Balance			Institution			Disposed of			Pending Cases at the end of 31 <sup>st</sup> December		
	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total
2021	9,031	30,850	39,881	2,327	8,148	10,475	2,062	4,216	6,278	9,309	34,814	44,123
2022	9,309	34,814	44,123	2,274	10,098	12,372	2,765	9,850	12,615	8,818	35,062	43,880

# Gajapati at Paralakhemundi



Existing Court Complex



Proposed Court Complex





*District Court Building, Gajapati at Paralakhemundi*



*From left to right- Visit of Australian Students, , storehouse and record room*

The Judgeship of Gajapati came into existence on 30<sup>th</sup> July, 2011 after bifurcation of the Judgeship of Ganjam-Gajapati and started functioning with headquarters at Paralakhemundi. The outlying stations are at R. Udayagiri, Mohana and Kashinagar

The new District Court building was inaugurated on 20<sup>th</sup> November, 2020. The building has

a basement and three floors. There are 11 Courtrooms. The basement is being used for parking of the vehicles. Other facilities such as lift, Air Conditioner and fire safety measures have been installed in the building.

The new District Court building constructed by OSPH and WC at a total cost of around Rs.17.71 crores was inaugurated on 20<sup>th</sup> November, 2021.

The Court of Chief Judicial Magistrate became paperless on 17th September.

Gajapati comes under the DCDH at Ganjam which was inaugurated on 12<sup>th</sup> December, 2022.

The foundation stone for the project “Construction of Court Building for Sr. Civil Judge at R. Udaygiri” was laid on 31<sup>st</sup> July, 2022, which is to be executed by Rural Works at an

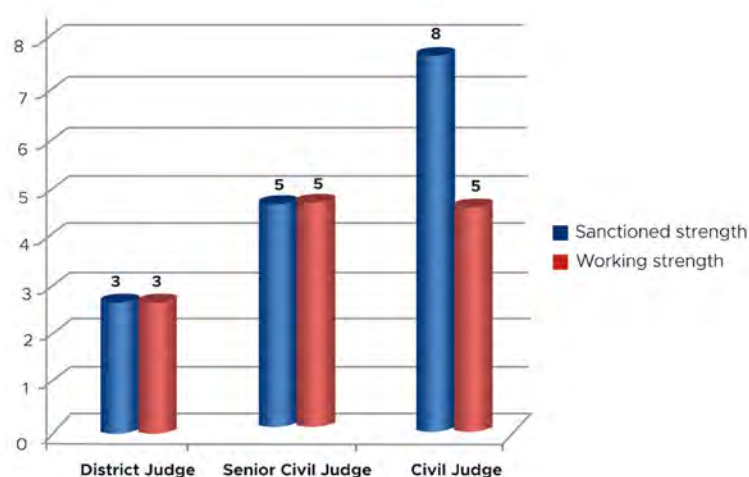
estimated cost of Rs. 7.53 Crores.

The Judgeship was last inspected on 30<sup>th</sup> July, 2022 by the Administrative Judge Justice B. R. Sarangi.

Shri Satyapira Mishra was the District and Sessions Judge till 30<sup>th</sup> July, 2022 and Shri Pranab Kumar Routray took over on 1<sup>st</sup> August, 2022.

Apart from the District and Sessions Judge, the judgeship consists of the following courts.

Name of the Court	Number of Courts
Judge Family Court	1
Addl. District and Sessions Judge	1
Chief Judicial Magistrate	1
A.S.J.-cum-Registrar, Civil Courts	1
Senior Civil Judge	2
Sub-Divisional Judicial Magistrate	1
Civil Judge (Jr. Divn.)-cum-J.M.F.C.	1
JMFC	5 (includes 1 Court of JMFC (LR))
Gramyanyayadhikari	1



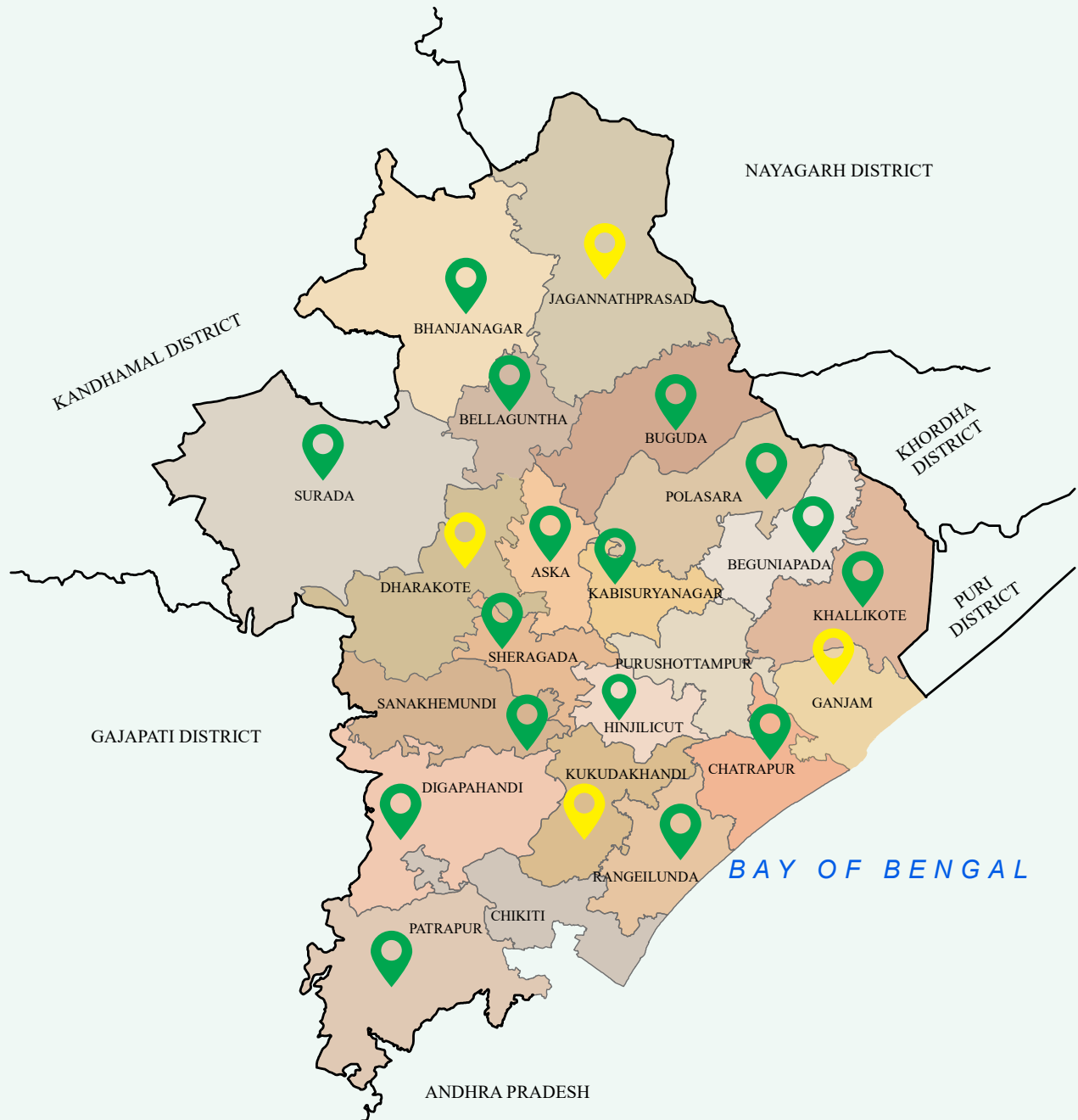
Number of judges in each court

## Case Statistics

Year	Opening Balance			Institution			Disposed of			Pending Cases at the end of 31 <sup>st</sup> December		
	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total
<b>2021</b>	663	9,373	<b>10,036</b>	285	3,402	<b>3,687</b>	364	2,178	<b>2,542</b>	584	10,597	<b>11,181</b>
<b>2022</b>	584	10,597	<b>11,181</b>	392	4,952	<b>5,344</b>	395	6,668	<b>7,063</b>	581	8,881	<b>9,462</b>



# Ganjam



 Existing Court Complex     Proposed Court Complex



*District Court Building, Ganjam*

After the bifurcation of Ganjam & Puri districts on 10<sup>th</sup> June, 1957, the reorganized Judgeship came to be known as Ganjam. In 1984, Phulbani District was carved out. On 2<sup>nd</sup> October, 1992, a new District viz Gajapati was constituted and the name of the Judgeship was changed to Ganjam- Gajapati. On 30<sup>th</sup> July, 2011, when Gajapati District was separated from this Judgeship, it came to be known as Ganjam Judgeship. The headquarters of Ganjam is located in Berhampur. The outlying stations are at Sanakhemundi, Digapahandi, Chhatrapur, Soroda, Bhanjanagar, Buguda, Kodala, Aska, Patrapur, Purusottampur, Hinjlicut, Seragada, Kabisuryanagar, Polsara, Khallikote and Jagannathprasad.

The District Court is functioning in an old building at Berhampur which was constructed in 1948 with 8 Court rooms. It is approximately spread over in land measuring Ac 3.491 Dec. approximately and in 1948, a building with plinth area of 13,275 sq.ft. housing 10 Court

rooms was constructed adjacent to the old building.

The Foundation stone for construction of Court Building for Civil Judge-cum-JMFC at Jagannathprasad and construction of Court Complex at Bhanjanagar was laid on 31<sup>st</sup> August, 2022. The project at Jagannathprasad is to be executed by Rural Works at an estimated cost of Rs. 2.65 Crores. The project at Bhanjanagar is to be executed by R & B (Roads and Building) at an estimated cost of Rs. 22.06 Crores.

The Court of Chief Judicial Magistrate became paperless on 17<sup>th</sup> September, 2022.

The District Court Digitization Hub (DCDH) was inaugurated on 12<sup>th</sup> December, 2022 and it serves as a hub for Gajapati.

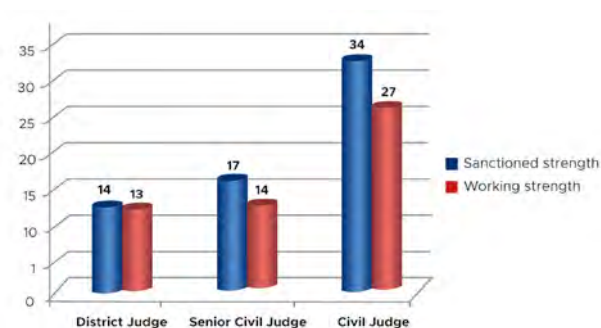
The Judgeship was last inspected on 3<sup>rd</sup> December, 2022 by the Administrative Judge Mr. Jaustice B.R Sarangi.

Shri Ananda Chandra Behera was the District and Sessions Judge through out the year.



Apart from the District and Sessions Judge, the judgeship consists of the following courts.

Name of the Court	Number of Courts
Judge Family Court	1
Addl. District and Sessions Judge	9 (includes 1 Court of ADJ (LR))
Exclusive POCSO Special Court	1
Ad-hoc ADJ (FTSC)	1
Special Judge Vigilance	1
Special OPID Court	1
2nd MACT (S.D)	1
LAR & R Authority	1
Chief Judicial Magistrate	2
A.S.J.-cum-Registrar, Civil Courts	1
Senior Civil Judge	7 (includes one Commercial Court and 1 Court of Senior Civil Judge (LR))
Addl. Senior Civil Judge	2
Sub-Divisional Judicial Magistrate	3
Civil Judge	2
Civil Judge (Jr. Divn.)-cum-J.M.F.C.	9
JMFC	18 (includes 2 Courts of J.M.F.C. (LR), 1 cognizance taking Court of JMFC (Rural), 1 Court of Transport magistrate and 1 cognizance taking JMFC Court).



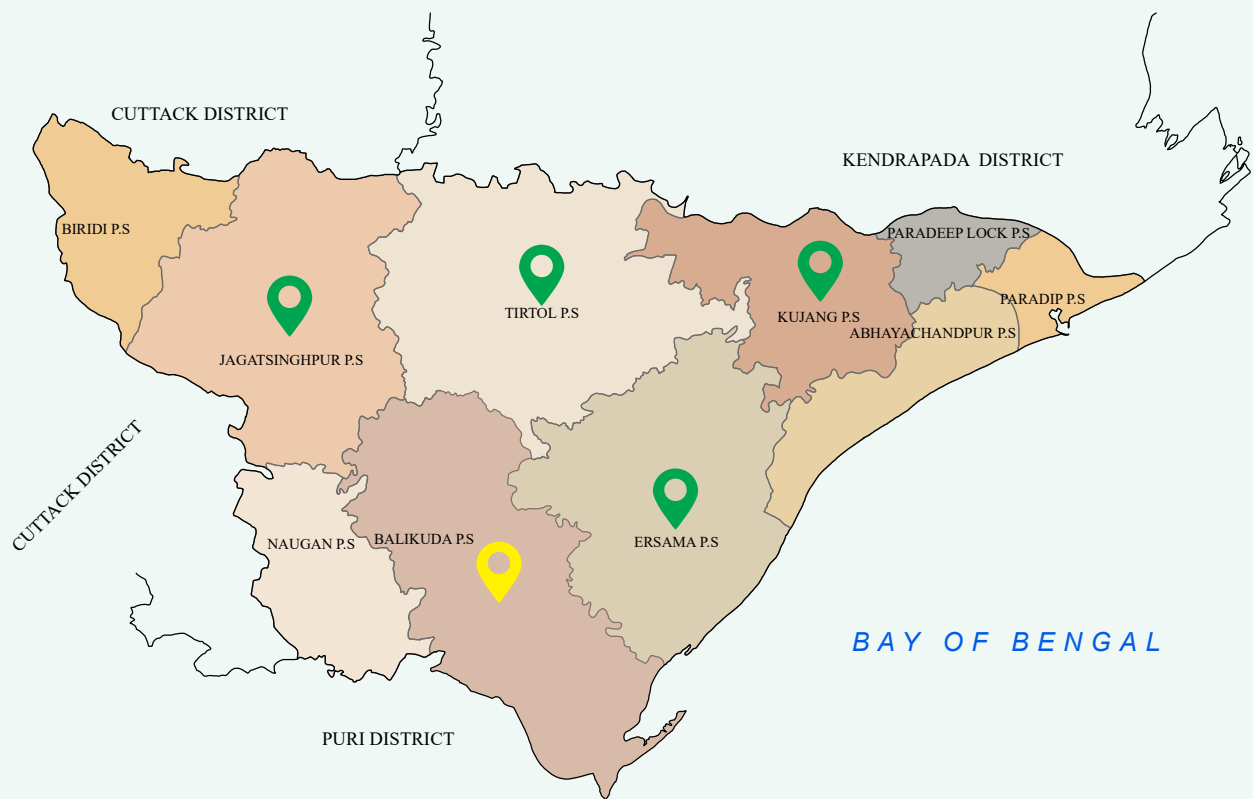
Number of judges in each court

## Case Statistics

Year	Opening Balance			Institution			Disposed of			Pending Cases at the end of 31 <sup>st</sup> December		
	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total
<b>*2021</b>	13,348	65,506	<b>78,854</b>	4,872	26,287	<b>31,159</b>	4,466	18,983	<b>23,449</b>	13,610	72,798	<b>86,408</b>
<b>2022</b>	14,079	72,798	<b>86,877</b>	6,286	41,744	<b>48,030</b>	8,560	40,717	<b>49,277</b>	11,805	73,825	<b>85,630</b>

\*Closing Balance changed due to physical verification

# Jagatsinghpur

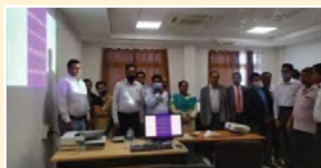


 Existing Court Complex     Proposed Court Complex





*District Court Building, Jagatsinghpur*



*From left to right- inauguration of paperless Court and hands on training*

*From left to right- drawing competition among school children*

After its separation from the parent Judgeship of Cuttack, the Judgeship of Jagatsinghpur started functioning from 17<sup>th</sup> May, 2013 with outlying stations at Paradeep, Kujang and Tirtol.

The new District Court building constructed by the OSPH & WC at an estimated cost of Rs. 19.86 Crores was inaugurated on 2<sup>nd</sup> November, 2019. It is functioning in a new building. There are 15 Court rooms in the

building. It has various facilities like the Bar Hall, ramp for disabled persons, conference hall.

The Court of Senior Civil judge (LR & LTV) became paperless on 17<sup>th</sup> September, 2022.

Jagatsinghpur comes under the DCDH at Cuttack which was inaugurated on 12<sup>th</sup> December, 2022.

The Construction of C-Type Residential quarters for Sr. Civil Judge (Women's Court) at Jagatsinghpur was completed on 8<sup>th</sup> September, 2022 by OSPH & WC Ltd. at an

estimated cost of Rs. 71.17 Lakhs. Construction of C-Type Residential quarters for Secretary, DLSA at Jagatsinghpur was completed on 8<sup>th</sup> September, 2022 at an estimated cost of Rs. 71.17 Lakhs, which was also executed by the OSPH & WC Ltd.

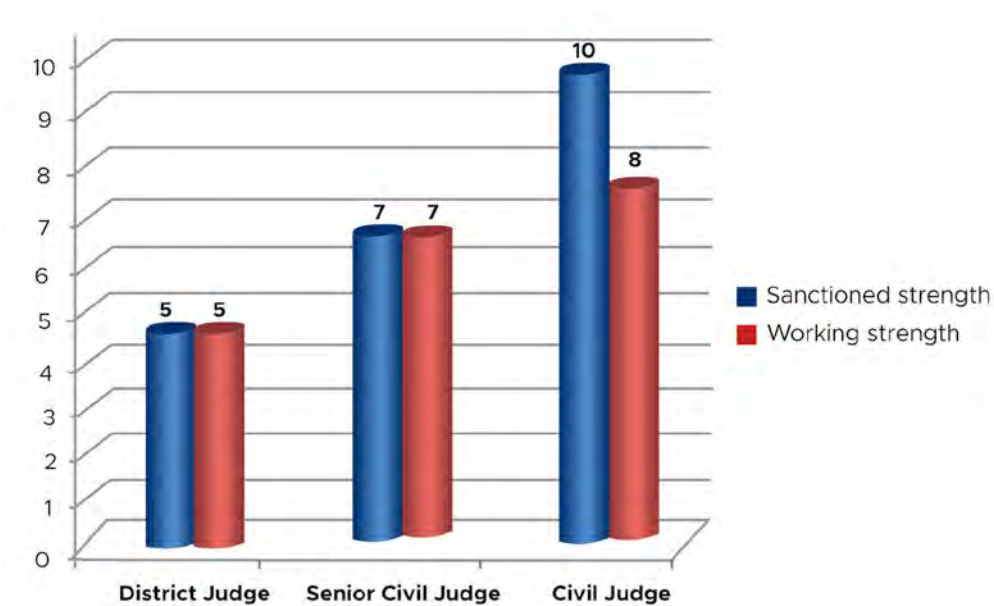
Shri Anup Kumar Chandan was the District & Session Judge throughout the year.

The Judgeship was last inspected on 15<sup>th</sup> October, 2022 by the Administrative Judge Mr. Justice S. Talapatra.

Apart from the District and Sessions Judge, the judgeship consists of the following courts.

Name of the Court	Number of Courts
Judge Family Court	1
Addl. District and Sessions Judge	2
Exclusive POCSO Special Court	1
Ad-hoc ADJ (FTSC)	1
Chief Judicial Magistrate	1
A.S.J.-cum-Registrar, Civil Courts	1
Senior Civil Judge	4 (includes one women's Court and 1 Court of Senior Civil Judge (LR))
Sub-Divisional Judicial Magistrate	1
Civil Judge	2
Civil Judge (Jr. Div.)-cumJ.M.F.C.	2
JMFC	4 (includes 1 Courts of J.M.F.C. (LR) and 1 cognizance taking Court).
Gramyanyayadhikari	1





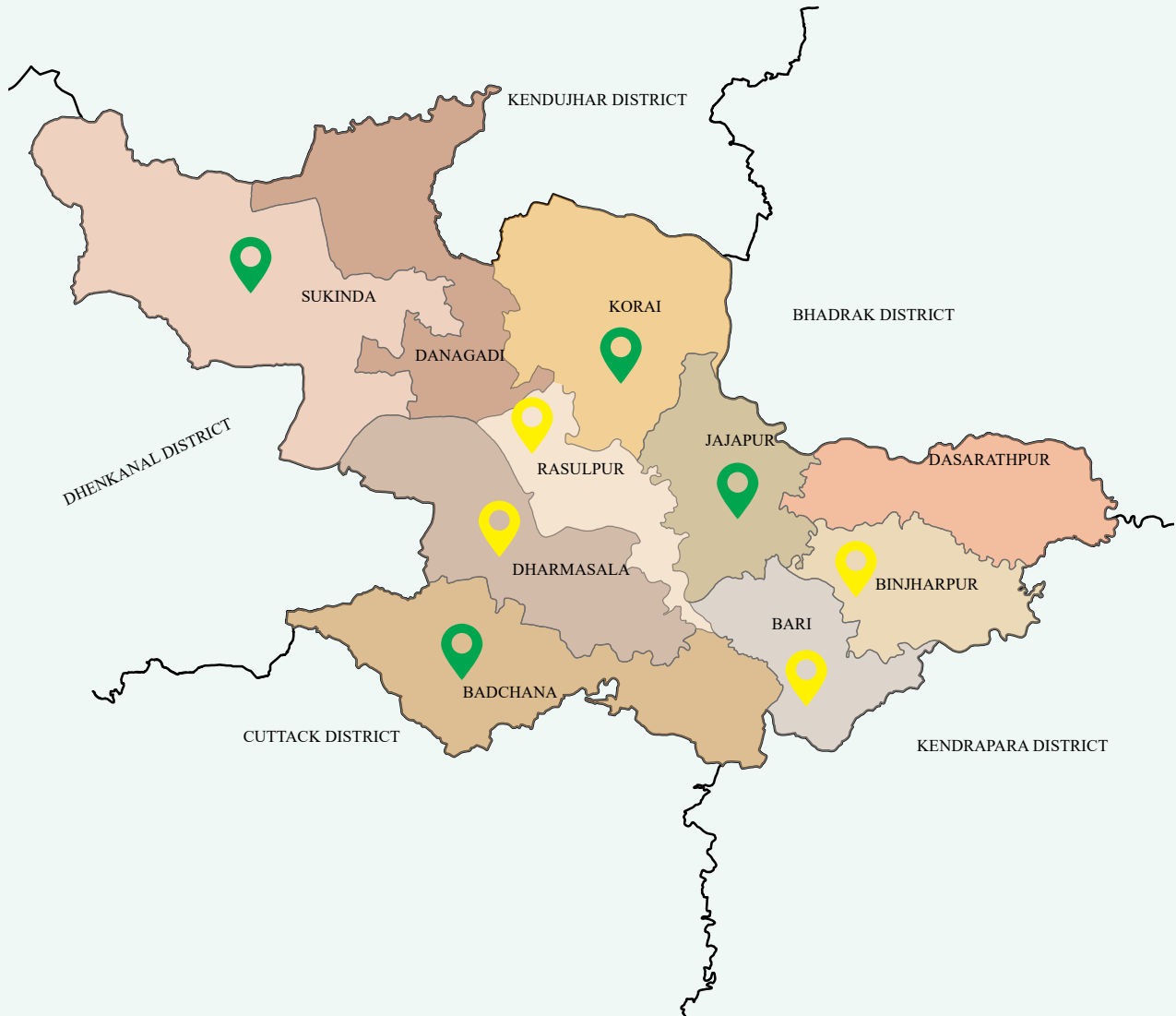
Number of judges in each court

### Case Statistics

Year	Opening Balance			Institution			Disposed of			Pending Cases at the end of 31 <sup>st</sup> December		
	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total
<b>*2021</b>	12,235	30,616	<b>42,851</b>	3,226	5,796	<b>9,022</b>	3,100	3,855	<b>6,955</b>	12,453	32,591	<b>45,044</b>
<b>2022</b>	12,453	32,591	<b>45,044</b>	2,900	8,057	<b>10,957</b>	3,896	7,693	<b>11,589</b>	11,457	32,955	<b>44,412</b>

\*Closing Balance changed due to physical verification

# Jajpur



 Existing Court Complex  Proposed Court Complex





*District Court Building, Jajpur*

Jajpur Judgeship started functioning with effect from 28<sup>th</sup> June, 2012, after being separated from the erstwhile composite Judgeship of Cuttack, Jagatsingpur, Jajpur and Kendrapara. It has outlying areas at Jajpur, Sukinda and Chandikhol

Since 2012, the Court of the District and Sessions Judge is functioning in a single storied Old Town Hall, Jajpur having 6 rooms. The said building with an approximate plinth area of 2400 sq.ft. was constructed in 1933. The 12 other Courts of Jajpur, are functioning in scattered buildings in the Civil Court Complex. The Gram Nyayalaya at Sukinda was inaugurated on 24<sup>th</sup> January, 2021.

The Court of Additional District and Sessions

Judge (POCSO) became paperless on 17<sup>th</sup> September, 2022.

Jajpur comes under the DCDH at Bhadrak which was inaugurated on 12<sup>th</sup> December, 2022 in virtual mode by the Chief Justice of India.

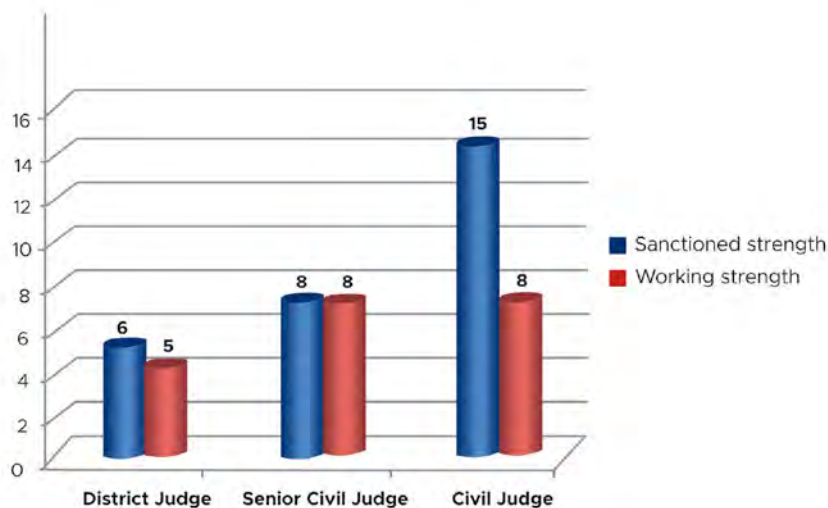
The Foundation stone for Construction of District Court Complex at Jajpur was laid on 9<sup>th</sup> April, 2022, the project is to be executed by R&B (Roads and Building Department) at an estimated cost of Rs. 105.21 Crores.

Shri Srikant Mishra was the District & Session Judge till 26<sup>th</sup> July, 2022. Shri Damodar Rath took over on 1<sup>st</sup> August, 2022.

The Judgeship was last inspected on 16<sup>th</sup> July, 2022 by the Administrative Judge, Justice R.K. Pattanaik.

Apart from the District and Sessions Judge, the judgeship consists of the following courts.

Name of the Court	Number of Courts
Judge Family Court	1
Addl. District and Sessions Judge	2
Exclusive POCSO Special Court	1
Ad-hoc ADJ (FTSC)	1
Chief Judicial Magistrate	1
A.S.J.-cum-Registrar, Civil Courts	1
Senior Civil Judge	4 (includes one Court of Senior Civil Judge (LR))
Addl. Senior Civil Judge	1
Sub-Divisional Judicial Magistrate	1
Civil Judge	1
Civil Judge (Jr. Div.)-cumJ.M.F.C.	2
JMFC	7 (includes 2 Courts of J.M.F.C. (LR))
Special Judicial Magistrate	1
Gramyanyayadhikari	1



Number of judges in each court

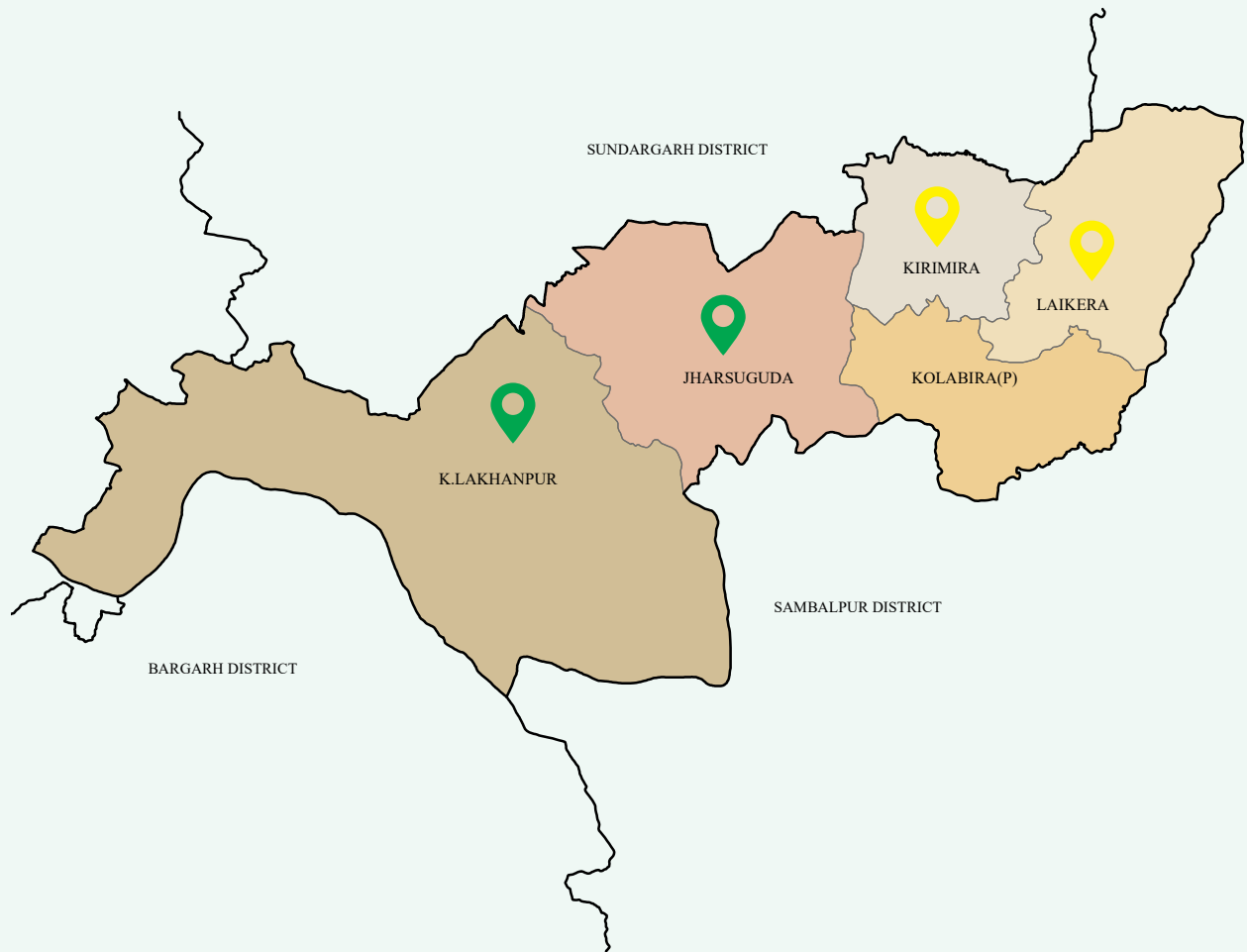
### Case Statistics

Year	Opening Balance			Institution			Disposed of			Pending Cases at the end of 31 <sup>st</sup> December		
	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total
<b>*2021</b>	21,217	52,882	<b>74,099</b>	4,234	11,253	<b>15,487</b>	2,368	3,605	<b>5,973</b>	23,039	60,623	<b>83,662</b>
<b>2022</b>	23,039	60,623	<b>83,662</b>	3,991	11,926	<b>15,917</b>	3,756	6,282	<b>10,038</b>	23,274	66,267	<b>89,541</b>

\*Closing Balance changed due to physical verification



# Jharsuguda



 Existing Court Complex  Proposed Court Complex



*District Court Building, Jharsuguda*



*From left to right- inauguration of DCDH, e-filing station, ICT training for Judicial Officers  
From left to right- NDPS storehouse, a paperless Court and inauguration of the Virtual Court room*

The Judgeship of Jharsuguda commenced on 24<sup>th</sup> November, 2011. Until 23<sup>rd</sup> September, 2011, it was under the jurisdiction of undivided Sambalpur.

The construction of the new building by the P.W.D (R&B) Division at a cost of Rs. 14.20 Crores started on 25<sup>th</sup> January, 2014 and was completed on 30<sup>th</sup> June, 2016.

The District Court is functioning in a new building having 11 Court rooms. Its construction

by the R&B was completed by 30<sup>th</sup> June, 2016 at the cost of Rs.14.20 Crores approximately. The facilities available in the building include lift, ramp for disabled persons, e-Sewa Kendra and VC Cabin.

The Court of District and Sessions Judge became paperless on 17<sup>th</sup> September, 2022.

The District Court Digitization Hub (DCDH) was inaugurated on 12<sup>th</sup> December, 2022 in virtual mode by the Chief Justice of India and



it serves as a hub for Sundargarh.

Jharsuguda has only one outlying station at Lakhanpur.

The foundation stone for Construction of Transit House at Jharsugudawas laid on 16<sup>th</sup> July 2022 and the project is to be executed by R&B Department at an estimated cost of

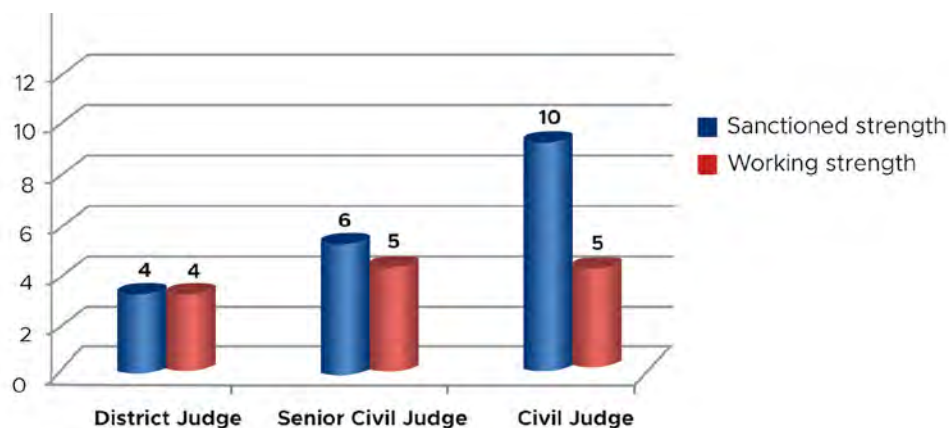
Rs. 1.09 Crores.

Shri Nisith Nisank was the District & Session Judge till 16<sup>th</sup> July, 2022. Shri Digambar Prusty took over on 18<sup>th</sup> July 2022.

The Judgeship was last inspected on 16<sup>th</sup> September, 2022 by the Administrative Judge, Justice B. Mohanty.

Apart from the District and Sessions Judge, the judgeship consists of the following courts.

Name of the Court	Number of Courts
Judge Family Court	1
Addl. District and Sessions Judge	2
Exclusive POCSO Special Court	1
Chief Judicial Magistrate	1
A.S.J.-cum-Registrar, Civil Courts	1
Senior Civil Judge	2 (includes 1 Court of Senior Civil Judge(LR))
Sub-Divisional Judicial Magistrate	1
JMFC	4 (includes 1 Court of J.M.F.C. (LR) and 1 Cognizance taking Court)
Gramyanyayadhikari	1

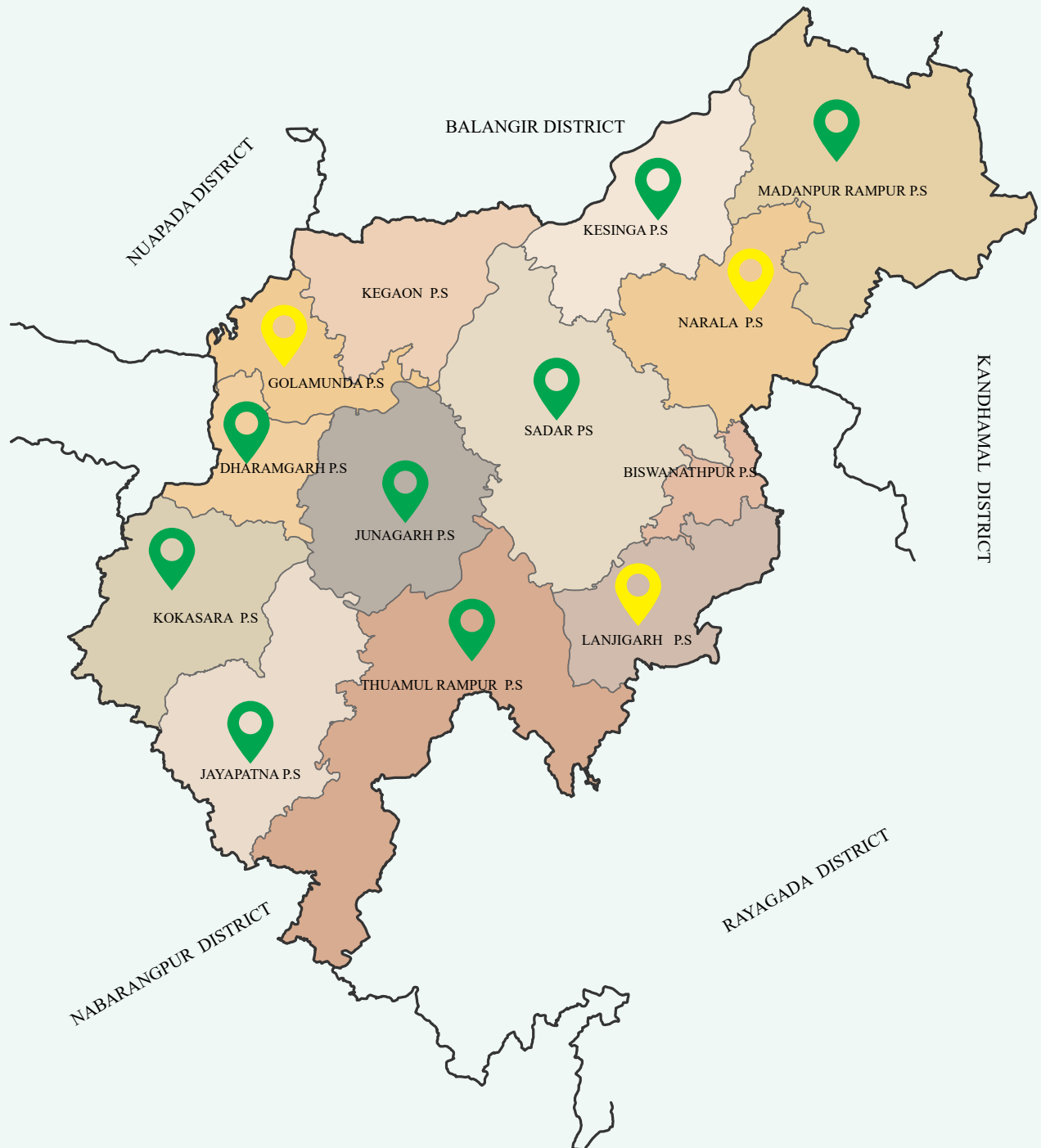


Number of judges in each court

### Case Statistics

Year	Opening Balance			Institution			Disposed of			Pending Cases at the end of 31 <sup>st</sup> December		
	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total
2021	3,988	29,468	33,456	1,243	9,306	10,549	1,047	2,936	3,983	4,184	35,838	40,022
2022	4,184	35,838	40,022	1,228	19,876	21,104	1,736	18,588	20,324	3,676	37,126	40,802

# Kalahandi



 Existing Court Complex     Proposed Court Complex





*District Court Building, Kalahandi*



*From left to right of the top row- store house, record room and health camp*

*From left to right of the bottom row- Covid vaccination*

Kalahandi was a princely state in British India. It merged with Orissa State as Kalahandi District comprising the current Kalahandi and Nuapada Districts. Though in 1993, Nuapada sub-division was carved out as a separate district, Kalahandi (Lok Sabha constituency) continued to represent both Kalahandi and Nuapada Districts together. The judgeship of Nuapada was separated from Kalahandi on 7<sup>th</sup> July, 2012.

The Court of Additional District and Sessions Judge became paperless on 17<sup>th</sup> September, 2022.

The District Court Digitization Hub (DCDH) was inaugurated on 12<sup>th</sup> December, 2022 in virtual mode by the Chief Justice of India and it serves as a hub for Nuapada.

The District Court is functioning in a new building at Bhawanipatna. It has 11 well-furnished Court Halls and facilities like office, library, waiting hall for the witnesses, Bar Hall, lift, drinking water, ramp for disabled persons, separate washroom facilities for disabled persons. Its construction, by the OSPH & WC, at an estimated cost of around Rs.22.5 Crores was completed on 25<sup>th</sup> November, 2020. The building was inaugurated on 6<sup>th</sup> March, 2021.

The outlying stations of Kalahandi are Kesinga, Madanpur-Rampur, Dharmagarh, Junagarh, Koksara, Jaipatna and T.Rampur.

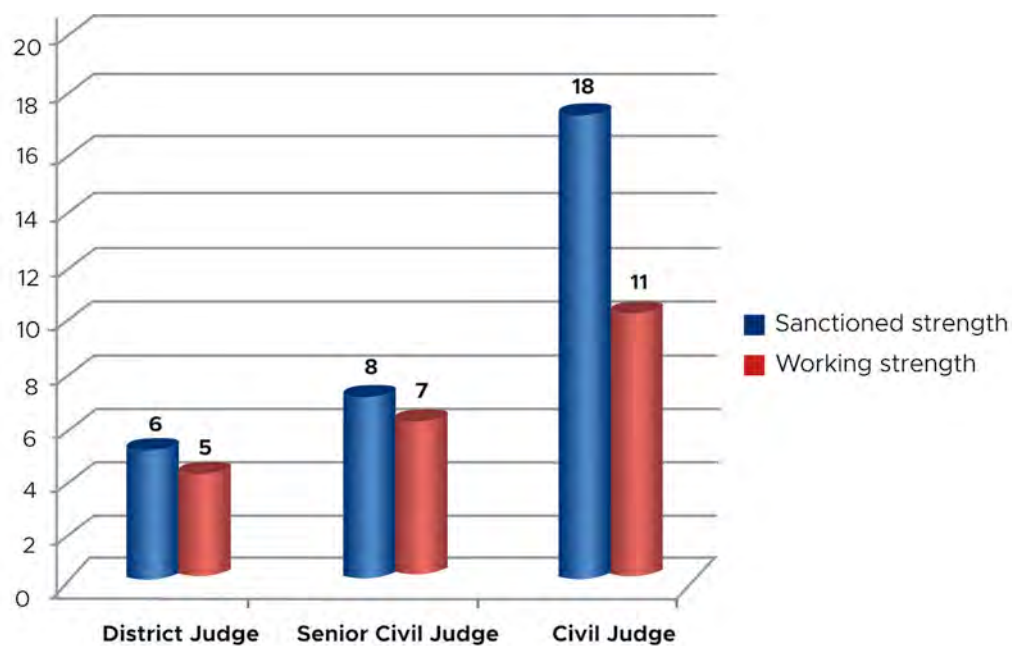
Shri Dipti Ranjan Kanungo was the District & Session Judge throughout the year.

The Judgeship was last inspected on 5<sup>th</sup> March, 2022 by the Administrative Judge, Justice B.P. Routray.

Apart from the District and Sessions Judge, the judgeship consists of the following courts.

Name of the Court	Number of Courts
Judge Family Court	1
Addl. District and Sessions Judge	2
Exclusive POCSO Special Court	1
Ad-hoc ADJ (FTSC)	1
Special Judge Vigilance	1
Chief Judicial Magistrate	1
A.S.J.-cum-Registrar, Civil Courts	1
Senior Civil Judge	4 (includes 1 Court of Senior Civil Judge (LR) and one women's Court)
Sub-Divisional Judicial Magistrate	2
Civil Judge (Jr. Div.)-cum J.M.F.C.	5
Addl. Civil Judge (Jr. Div.)-cum J.M.F.C.	1
JMFC	7 (includes 1 Court of J.M.F.C. (LR))
Special Judicial Magistrate	1
Gramyanyayadhikari	1





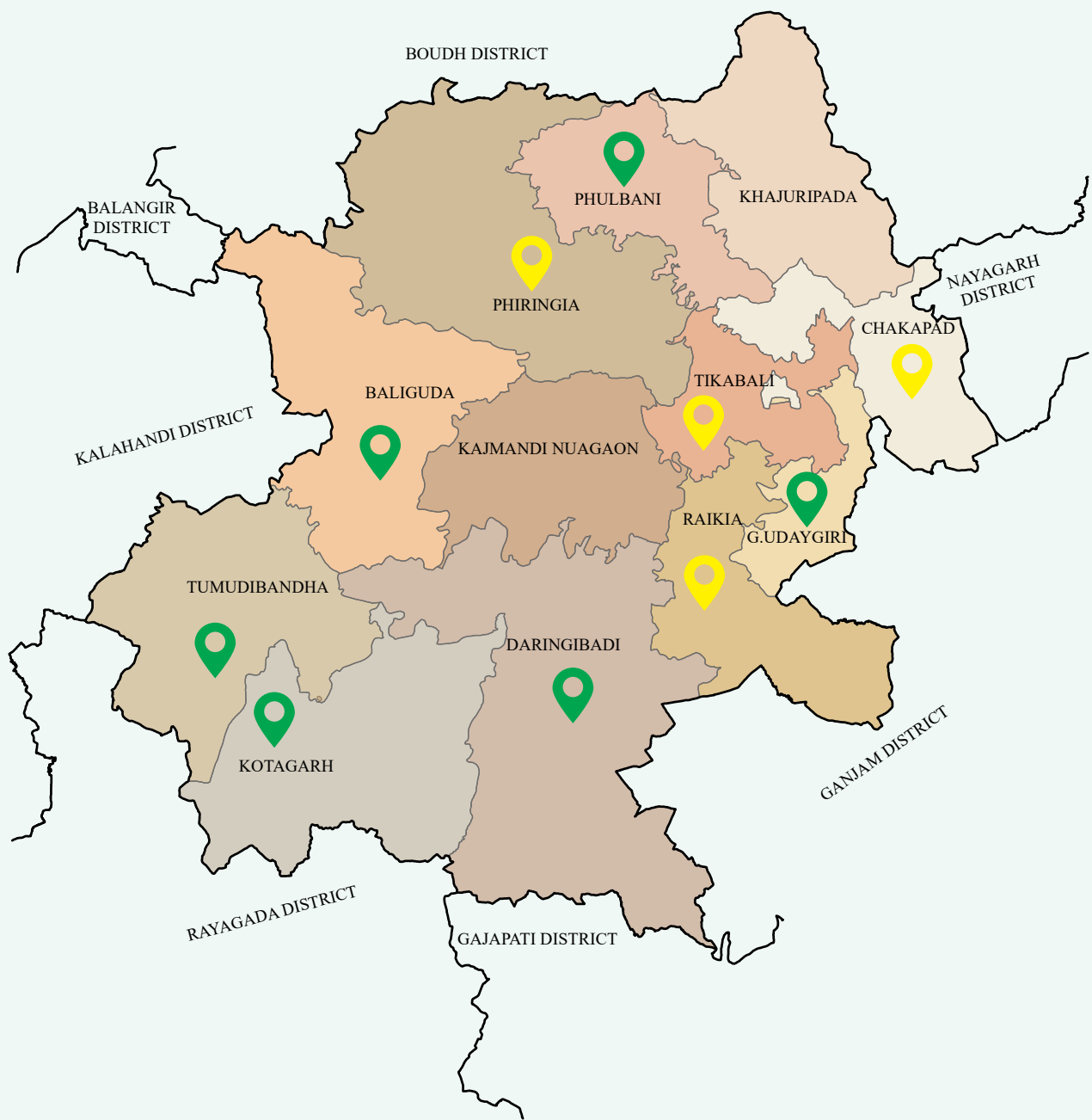
Number of judges in each court

## Case Statistics

Year	Opening Balance			Institution			Disposed of			Pending Cases at the end of 31 <sup>st</sup> December		
	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total
<b>*2021</b>	3,838	34,074	<b>37,912</b>	1,661	12,248	<b>13,909</b>	1,034	6,055	<b>7,089</b>	4,452	40,235	<b>44,687</b>
<b>2022</b>	4,452	40,235	<b>44,687</b>	1,752	11,183	<b>12,935</b>	2,132	11,245	<b>13,377</b>	4,072	40,173	<b>44,245</b>

\*Closing Balance changed due to physical verification

# Kandhamal at Phulbani



 Existing Court Complex     Proposed Court Complex





*District Court Building, Kandhalal at Phulbani*



*From left to right of the top row- e-Library, a paperless Court and VWDC*

*From left to right of the bottom row- a virtual Court room, record room and storehouse*

The district of Kandhamal was constituted on 1<sup>st</sup> January, 1994 from the former Boudh-Kandhamal District with its headquarters at Phulbani. Since 11<sup>th</sup> April, 1984, the Judgeship of Phulbani was separated from the combined Judgeship of Ganjam-Boudh constituting its territorial jurisdiction over three sub-divisions, Phulbani, Boudh & Balliguda, with 7 subordinate Courts. After separation of Boudh, the Judgeship of Phulbani is presently functioning with outlying stations at

Baliguda, G.Udaygiri, Daringibadi, Kotagarh and Tumudibandha, Raikia.

The Court of Chief Judicial Magistrate became paperless on 17<sup>th</sup> September, 2022.

Kandhamal comes under the DCDH at Nayagarh which was inaugurated on 12<sup>th</sup> December, 2022 in virtual mode by the Chief Justice of India.

The District Court is functioning in an old building constructed in 1999, having two floors with 9 Court rooms, of which 2 are in

ground floor and the other 5 are in the first floor. Adjacent to this old building, there exists another Court Building with 2 other Court rooms having facilities like Video Conferencing (VC) Hall, VC Cabin and E-Sewa Kendra.

Shri Sarada Prasanna Nayak was the District & Session Court Judge throughout the year.

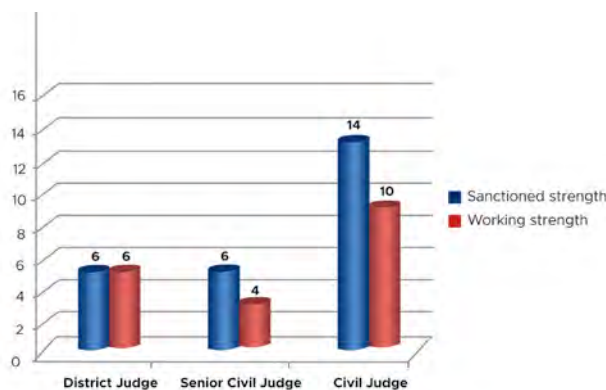
Shri Santosh Kumar Jena was the in charge

District Judge till 9<sup>th</sup> February, 2022. Shri Sitikantha Samal took over on 10<sup>th</sup> February, 2022 and continued till 6<sup>th</sup> December, 2022. Then Shri Satyapira Mishra took over on 9<sup>th</sup> December, 2022.

The Judgeship was last inspected on 3<sup>rd</sup> September, 2022 by the Administrative Judge, Justice M.S. Sahoo.

Apart from the District and Sessions Judge, the judgeship consists of the following courts.

Name of the Court	Number of Courts
Judge Family Court	1
Addl. District and Sessions Judge	2
Exclusive POCSO Special Court	1
Ad-hoc ADJ (FTSC)	1
Special Judge Vigilance	1
Chief Judicial Magistrate	1
A.S.J.-cum-Registrar, Civil Courts	1
Senior Civil Judge	2 (includes 1 women's Court)
Sub-Divisional Judicial Magistrate	2
Civil Judge (Jr. Div.)-cum J.M.F.C.	3
JMFC	6 (includes 1 Court of J.M.F.C. (LR))



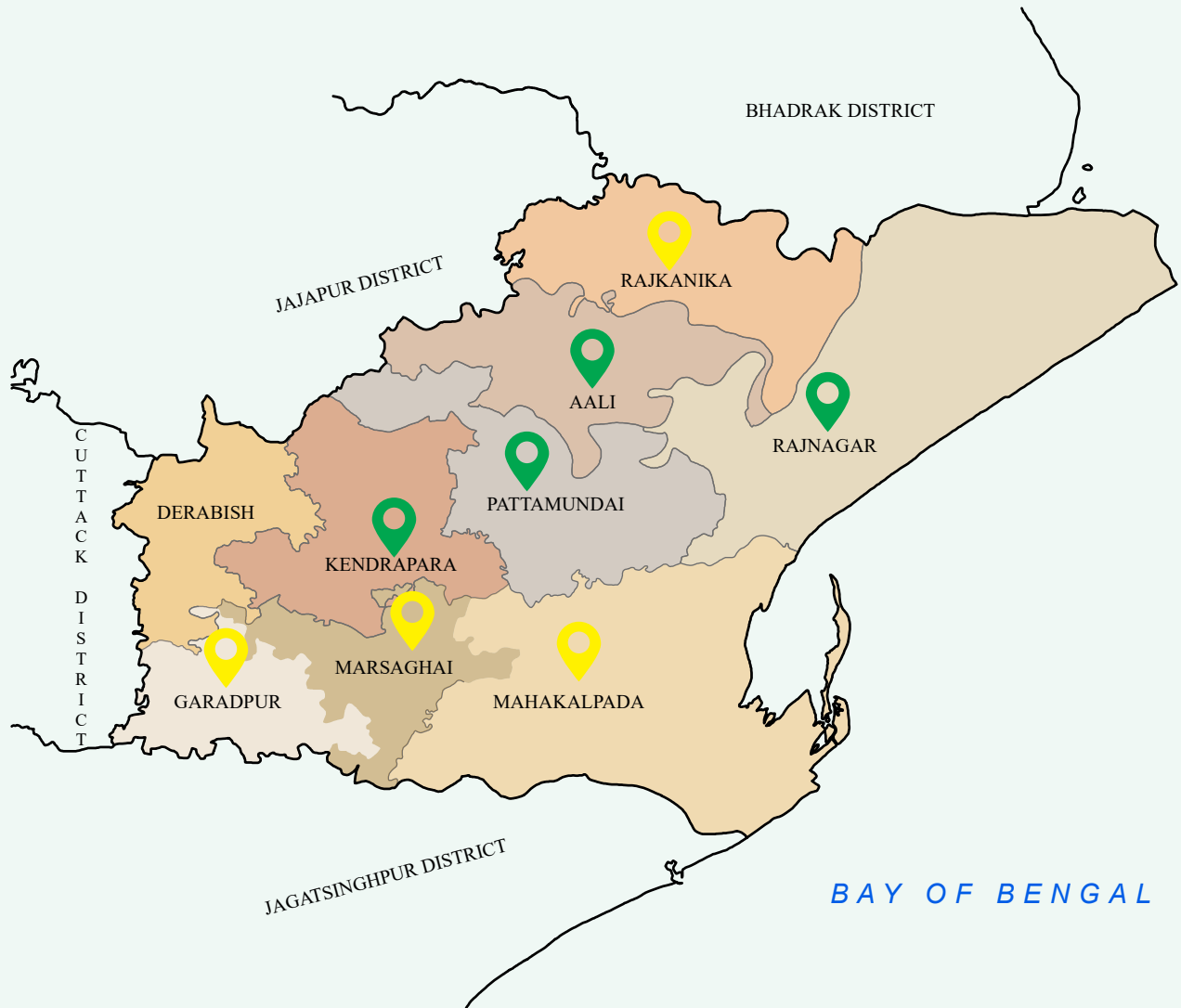
Number of judges in each court

## Case Statistics

Year	Opening Balance			Institution			Disposed of			Pending Cases at the end of 31 <sup>st</sup> December		
	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total
2021	921	16,249	17,170	351	4,142	4,493	323	3,493	3,816	949	16,898	17,847
2022	949	16,898	17,847	411	7,456	7,867	444	8,969	9,413	916	15,385	16,301



# Kendrapara



 Existing Court Complex     Proposed Court Complex



*District Court Building, Kendrapara*



*From left to right of the top row- law symposium, ICT training for Judicial Officers and health camp  
From left to right of the bottom row- mega legal awareness camp, record room and Malkhana*



The judgeship of Kendrapara was separated from Cuttack Judgeship and was established on 26<sup>th</sup> June, 2012 with outlying stations at Pattamundai, Rajnagar, Aul and Rajkanika.

The new building, which was inaugurated on 20<sup>th</sup> February, 2020 was constructed by the OSPH & WC at a cost of Rs.19.68 Crores. It has 16 Court rooms along with facilities like lift, V.C room, Advocate V.C Point, Firefighting system, e-Sewa Kendra, Ramp for differently abled persons.

The Courts of District and Sessions Judge and Additional Senior Civil, Judge became paperless on 17<sup>th</sup> September, 2022.

Kendrapara comes under the DCDH at Bhadrak which was inaugurated on

12<sup>th</sup> December, 2022 in virtual mode by the Chief Justice of India.

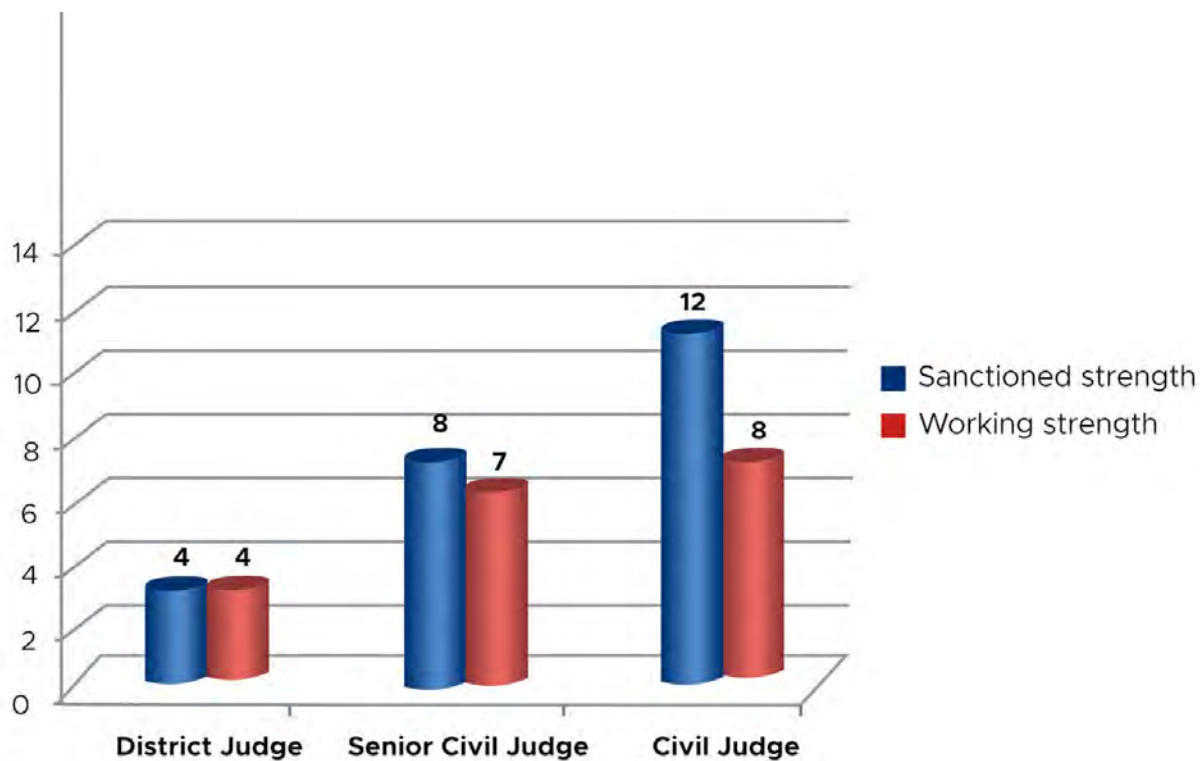
The Construction of B-Type residential quarters for District & Sessions Judge at Kendrapara was completed on 13<sup>th</sup> May, 2022 by OSPH & WC Ltd. (Odisha State Police Housing & Welfare Corporation Ltd.) at an estimated cost of Rs. 54.64 Lakhs.

Shri Gopal Chandra Behera was the in charge District Judge till 12<sup>th</sup> September, 2022. Shri Biswajit Mohanty took over on 14<sup>th</sup> September, 2022.

The Judgeship was last inspected on 25<sup>th</sup> June, 2022 by the Administrative Judge, Justice Sashikanta Mishra.

Apart from the District and Sessions Judge, the judgeship consists of the following courts.

Name of the Court	Number of Courts
Judge Family Court	1
Addl. District and Sessions Judge	1
Exclusive POCSO Special Court	1
Ad-hoc ADJ (FTSC)	1
Chief Judicial Magistrate	1
A.S.J.-cum-Registrar, Civil Courts	1
Senior Civil Judge	3 (includes 1 Court of Senior Civil Judge (LR))
Addl. Senior Civil Judge	1
Sub-Divisional Judicial Magistrate	1
Civil Judge	1
Civil Judge (Jr. Div.)-cum J.M.F.C.	2
Addl. Civil Judge-cum-J.M.F.C.	1
JMFC	5 (includes 1 Court of J.M.F.C. (LR) and 1 cognizance taking J.M.F.C.)



Number of judges in each court

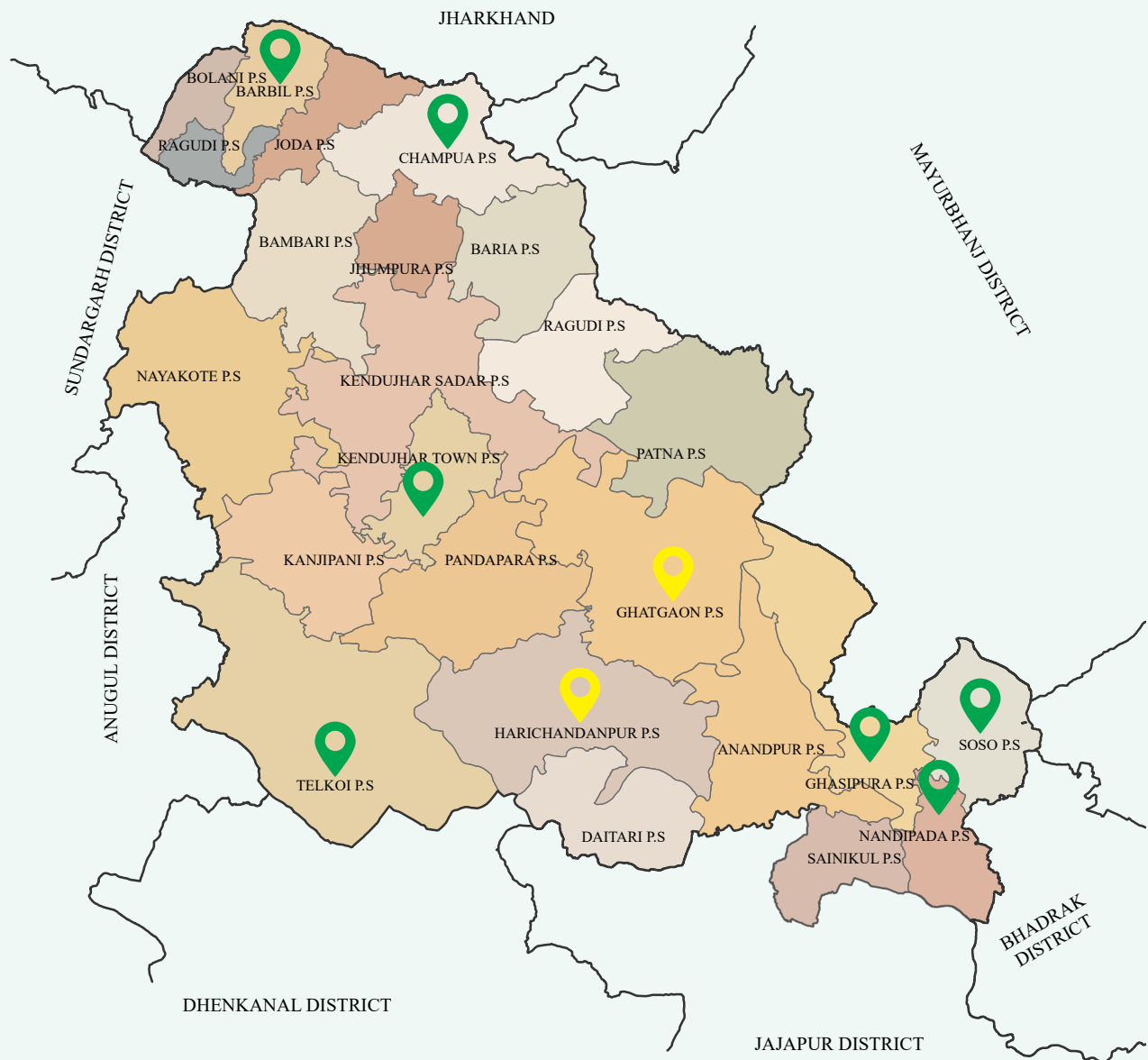
### Case Statistics

Year	Opening Balance			Institution			Disposed of			Pending Cases at the end of 31 <sup>st</sup> December		
	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total
<b>*2021</b>	18,221	34,546	<b>52,767</b>	2,625	7,488	<b>10,113</b>	1,834	3,580	<b>5,414</b>	19,025	38,667	<b>57,692</b>
<b>2022</b>	19,025	38,667	<b>57,692</b>	2,903	8,288	<b>11,191</b>	3,352	4,735	<b>8,087</b>	18,576	42,220	<b>60,796</b>

\*Closing Balance changed due to physical verification



# Keonjhar



 Existing Court Complex  Proposed Court Complex



*District Court Building, Keonjhar*





The judgeship of Keonjhar was separated from the Mayurbhanj judgeship on 28<sup>th</sup> February, 1982 and has seven outlying stations at Anandapur, Ghasipura, Hatadihi, Champua, Telkoi and Barbil. Initially, the Court functioned at the Collectorate building and was shifted to a new building on 21<sup>st</sup> April, 2004.

There are 14 Court rooms in the building. It has facilities like e-SewaKendra, e-Filing Centre, e-Meeting help desk, video conferencing room and e-Kiosk.

The Construction of Court Building Gram Nyayalaya at Ghasipura was completed on

30<sup>th</sup> March, 2022 by OSPH & WC Ltd.(Odisha State Police Housing & Welfare Corporation Ltd.) at an estimated cost of Rs. 4.88 Crores. Construction of C-Type residential quarters for Sr. Civil Judge at Anandpur was completed on 25<sup>th</sup> April, 2022 by OSPH & WC Ltd. at an estimated cost of Rs. 59.41 Lakhs.

The Court of District and Sessions Judge became paperless on 17<sup>th</sup> September, 2022.

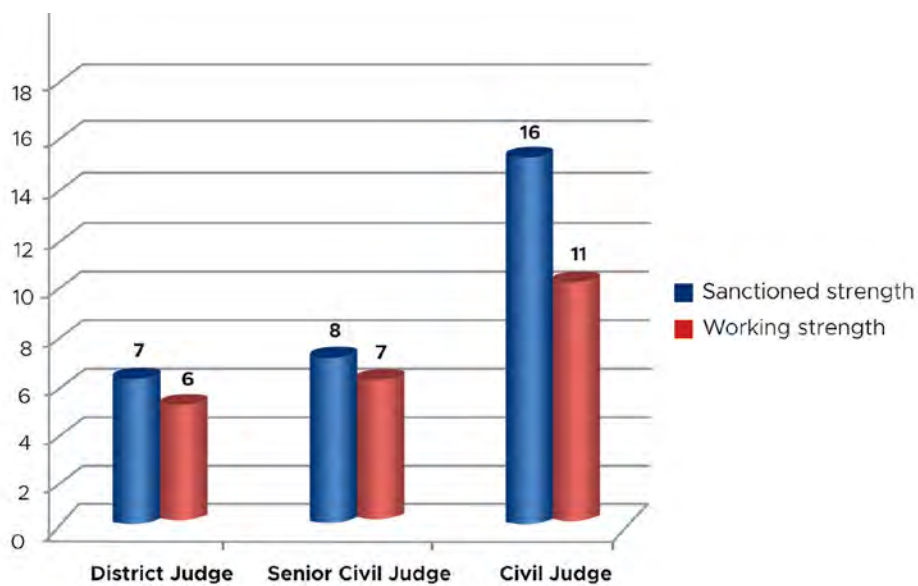
Shri Chittaranjan Mohapatra was the District judge throughout the year.

The Judgeship was last inspected on 23<sup>rd</sup> September, 2022 by the Administrative Judge, Justice B.P. Routray.

Apart from the District and Sessions Judge, the judgeship consists of the following courts.

Name of the Court	Number of Courts
Judge Family Court	1
Addl. District and Sessions Judge	3 (includes one Court of ADJ(LR))
Ad-hoc ADJ (FTSC)	1
Special Judge Vigilance	1
Chief Judicial Magistrate	1
A.S.J.-cum-Registrar, Civil Courts	1
Senior Civil Judge	4 (includes 1 women's Court)
Sub-Divisional Judicial Magistrate	3
Civil Judge (Jr. Div.)-cum J.M.F.C.	3
JMFC	8 (includes 1 Court of J.M.F.C. (LR) and 1 cognizance taking J.M.F.C.)
Gram Nyayalaya	1





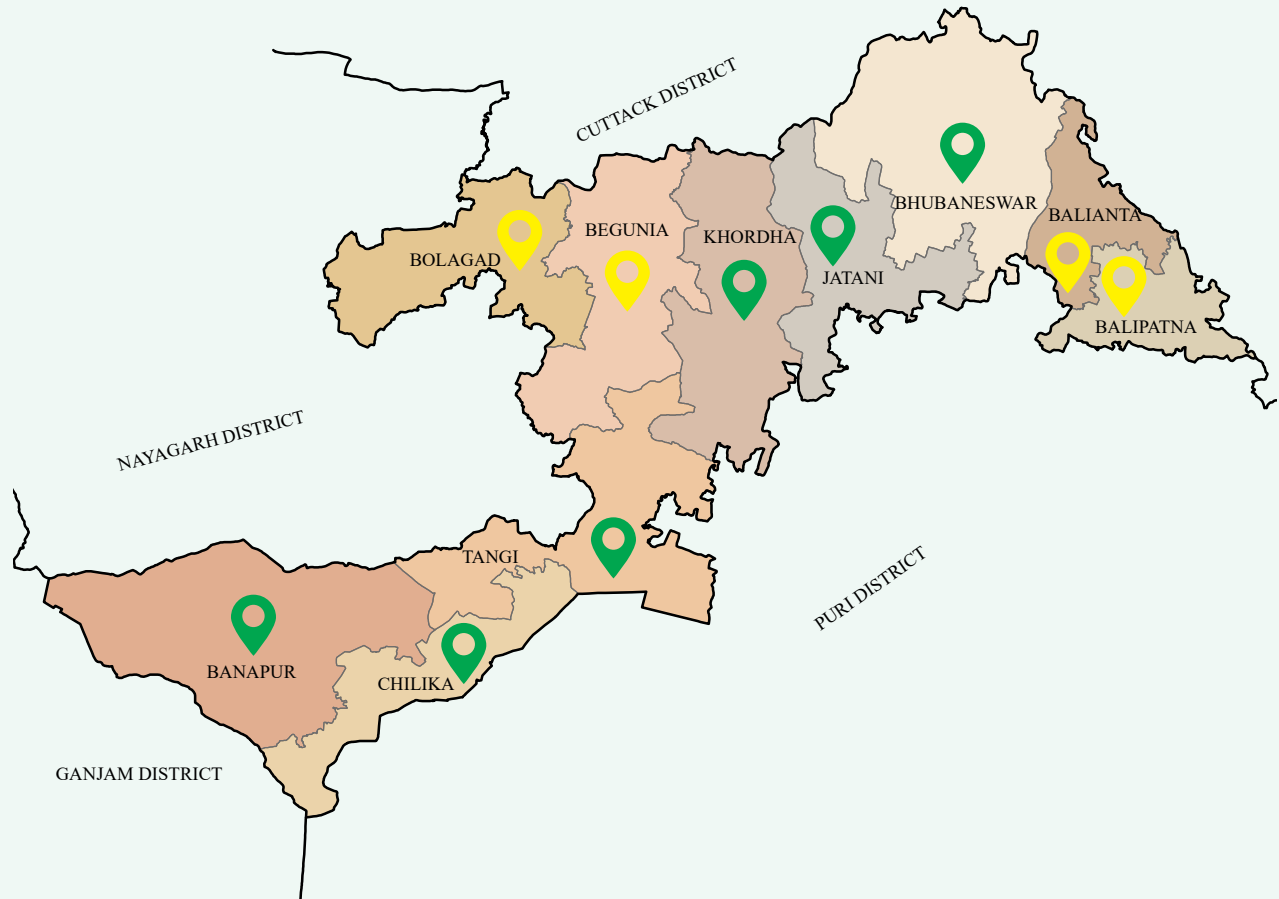
Number of judges in each court

## Case Statistics

Year	Opening Balance			Institution			Disposed of			Pending Cases at the end of 31 <sup>st</sup> December		
	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total
<b>*2021</b>	8,303	39,862	<b>48,165</b>	1,660	6,398	<b>8,058</b>	1,252	3,931	<b>5,183</b>	8,700	42,289	<b>50,989</b>
<b>2022</b>	8,700	42,289	<b>50,989</b>	2,502	23,551	<b>26,053</b>	1,908	21,284	<b>23,192</b>	9,294	44,556	<b>53,850</b>

\*Closing Balance changed due to physical verification

# Khurda



 Existing Court Complex  Proposed Court Complex



*District Court Building, Khurda*



*Left to Right Painting Competition and a Paperless Court*

The Judgeship of Khurda was inaugurated on 1<sup>st</sup> May, 1997, after being bifurcated from the Judgeship of Puri. It has 10 outlying stations at Khurda, Khurda Road, Banpur, Tangi, Jatni and Chilika with 45 Courts functioning under it. The present District Court building at Bhubaneswar was inaugurated in 1980. The extended CBI court building and the Fast

Track Court building were inaugurated in 2002 and 2003 respectively.

Shri Ramsankar Hota was the District and Sessions Judge till 15<sup>th</sup> July, 2022 and Shri Nisith Nisank took over on 18<sup>th</sup> July, 2022. A new Family Court was inaugurated on 2<sup>nd</sup> September, 2022.

The Court of J.M.F.C.(O) is functioning as



paperless courts since 17<sup>th</sup> September, 2022. A new state-of-the-art building complex is coming up on the adjacent plot. The building is expected to be ready in all respects by 31<sup>st</sup> March, 2023.

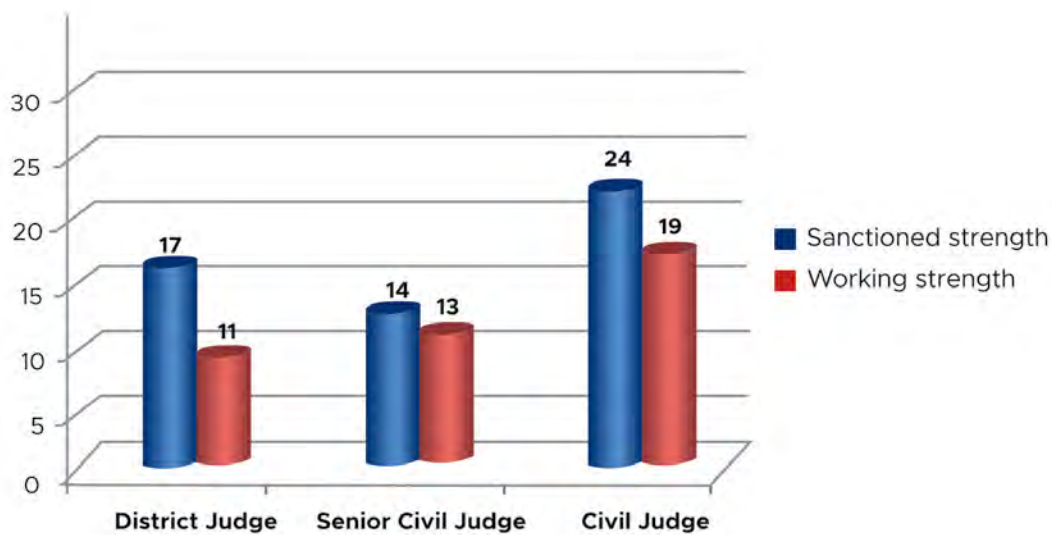
Khorda comes under the DCDH at Cuttack

which was inaugurated on 12<sup>th</sup> December, 2022 in virtual mode by the Chief Justice of India.

The Judgeship was last inspected on 19<sup>th</sup> November 2022 by the administrative Judge Justice S. Talapatra.

Apart from the District and Sessions Judge, the judgeship consists of the following courts.

Name of the Court	Number of Courts
Judge Family Court	3
Addl. District and Sessions Judge	4 (includes 1 Court of ADJ (LR))
Ad-hoc ADJ (FTSC)	1
Special Judge Vigilance	3
Special Judge Special Court Authorized Officer	1
Special Judge Special Court	1
CBI Court	4
P.O. Labour Court	1
P.O. Industrial Tribunal	1
P.O. Educational Tribunal	1
P.O. Co-operative Tribunal	1
Chairman Arbitration Tribunal	1
Chief Judicial Magistrate	2
A.S.J.-cum-Registrar, Civil Courts	1
Senior Civil Judge	6 (includes one Commercial Court, 1 Court of Senior Civil Judge (LR) and one Commercial Court)
Addl. Senior Civil Judge	2
Sub-Divisional Judicial Magistrate	2
Civil Judge	2
Civil Judge (Jr. Divn.)-cum-J.M.F.C.	3
Special Railway Magistrate	1
JMFC	11 (includes 2 Courts of JMFC (LR), 1 Court of JMFC (outskirt) and 6 cognizance taking JMFC Courts)
Special Judicial Magistrate	1
Gram Nyayalaya	1



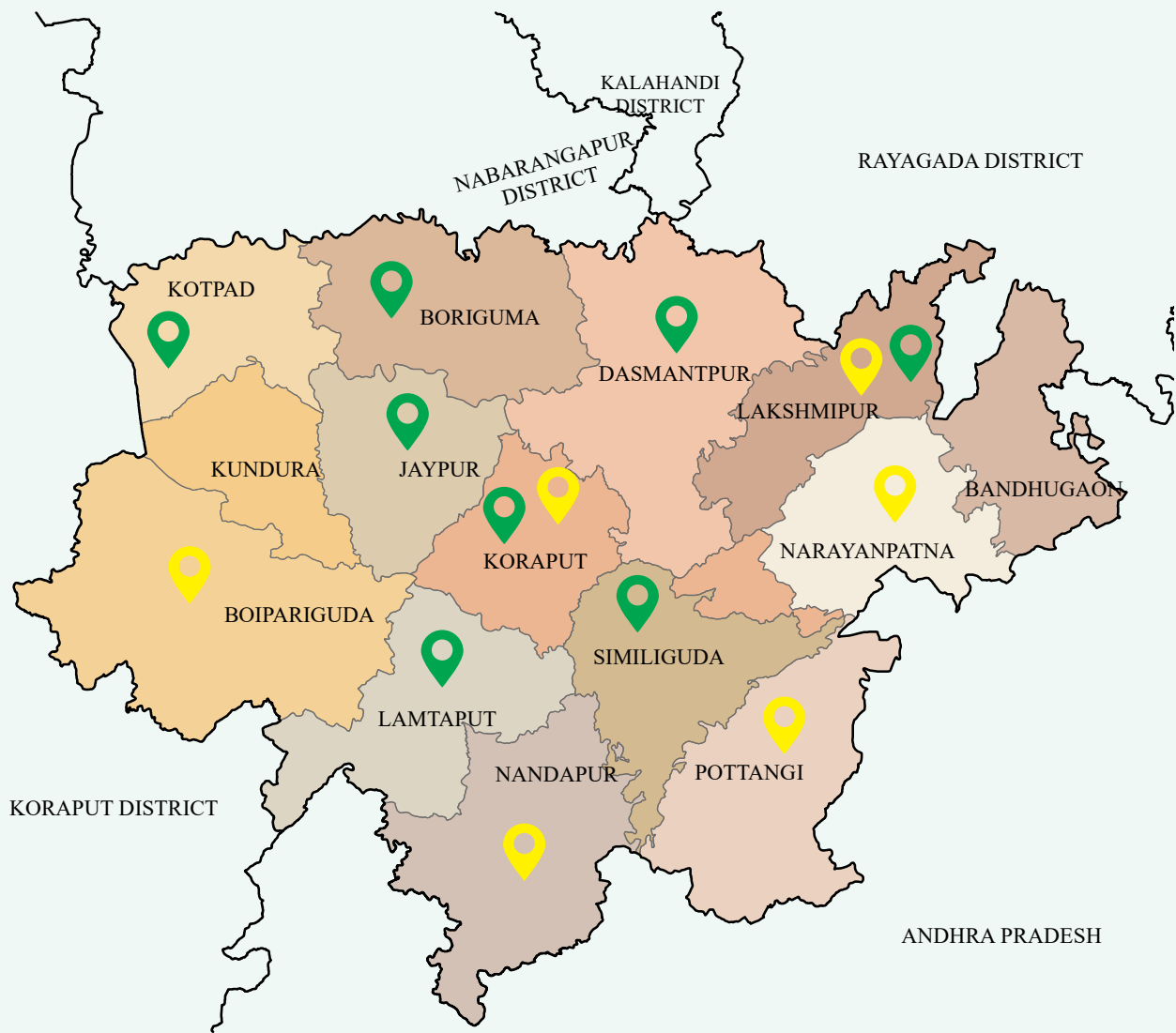
Number of judges in each court

### Case Statistics

Year	Opening Balance			Institution			Disposed of			Pending Cases at the end of 31 <sup>st</sup> December		
	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total
<b>*2021</b>	49,347	1,21,730	<b>1,71,077</b>	8,684	30,018	<b>38,702</b>	3,574	15,217	<b>18,791</b>	54,594	1,36,528	<b>1,91,122</b>
<b>*2022</b>	54,594	1,36,528	<b>1,91,122</b>	9,818	46,101	<b>55,919</b>	8,590	40,800	<b>49,390</b>	55,810	1,41,600	<b>1,97,410</b>

*\*Closing Balance changed due to physical verification*

# Koraput



 Existing Court Complex     Proposed Court Complex

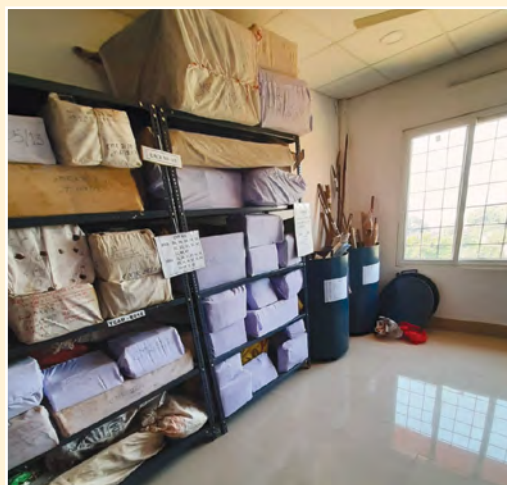




*District Court Building, Koraput at Jeypore*



*Record Room with Compactors*



*Store House*

The new District Court building of the district Koraput- Jeypore was inaugurated on 10<sup>th</sup> September, 2021. The outlying stations are at Koraput, Similiguda, Lamtaput, Dasmantpur, Kotpad, Boriguma and Lakshampur.

The Vulnerable witness Deposition Centre was established in the district on 2<sup>nd</sup> April, 2022.

Since 17<sup>th</sup> September, 2022, the court of Judge Family Court is functioning as paperless court.

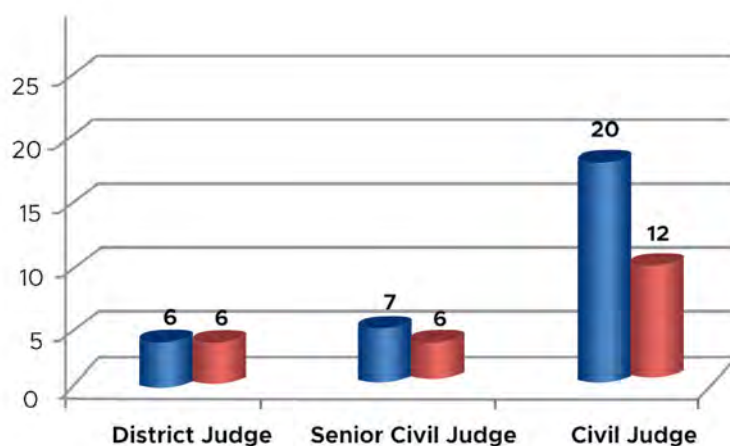
Kendrapara comes under the DCDH at Bhadrak which was inaugurated on 12<sup>th</sup> December, 2022 in virtual mode by the Chief Justice of India.

The Judgeship was last inspected on 26<sup>th</sup> March, 2022 by the Administrative Judge, Dr. Justice S.K. Panigrahi.

Shri Satya Narayan Mishra was the District and Sessions Judge throughout the year.

Apart from the District and Sessions Judge, the judgeship consists of the following courts.

Name of the Court	Number of Courts
Judge Family Court	1
Addl. District and Sessions Judge	2
Exclusive POCSO Special Court	1
Ad-hoc ADJ (FTSC)	1
Special Judge Vigilance	1
P.O. Labour Court	1
Chief Judicial Magistrate	1
A.S.J.-cum-Registrar, Civil Courts	1
Senior Civil Judge	3 (includes one women's Court and 1 Court of Senior Civil Judge (LR))
Sub-Divisional Judicial Magistrate	2
Civil Judge	1
Civil Judge (Jr. Div.)-cumJ.M.F.C.	4
JMFC	9 (includes 1 Courts of J.M.F.C. (LR))
Special Judicial Magistrate	1
Gram Nyayalaya	1



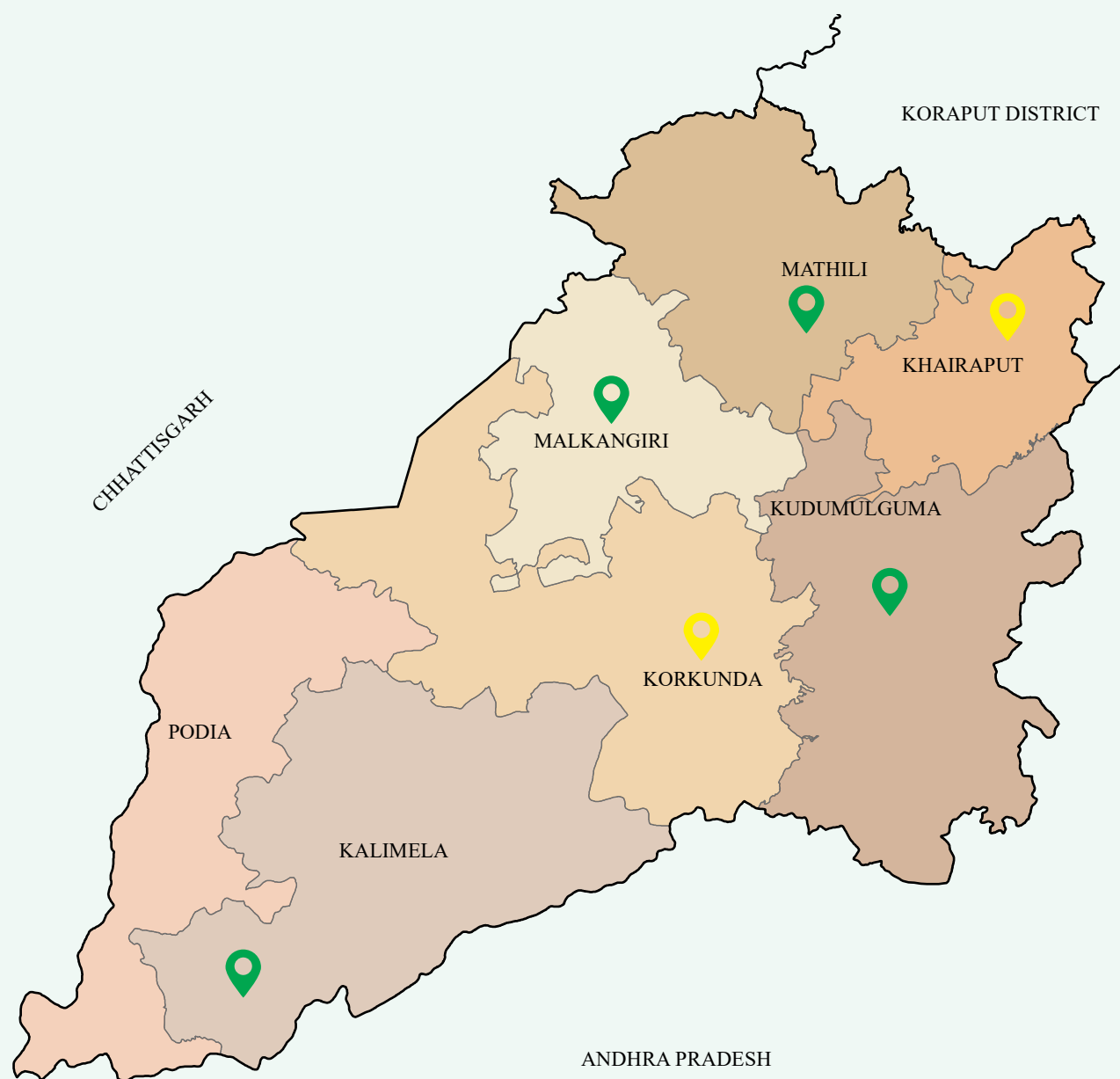
Number of judges in each court

## Case Statistics

Year	Opening Balance			Institution			Disposed of			Pending Cases at the end of 31 <sup>st</sup> December		
	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total
<b>*2021</b>	3,853	27,116	30,969	819	12,443	13,262	733	4,118	4,851	3,899	35,437	<b>39,336</b>
<b>2022</b>	3,899	35,437	39,336	990	9,430	10,420	1,155	10,826	11,981	3,734	34,041	<b>37,775</b>

\*Closing Balance changed due to physical verification

# Malkangiri



 Existing Court Complex  Proposed Court Complex





*District Court Building, Malkangiri*



*Record Room*



*A Paperless Court*

Malkangiri was carved out of Koraput district on 2<sup>nd</sup> October, 1992. The judgeship started functioning independently from 20<sup>th</sup> April, 2013 with one outlying station at Motu (MV- 79), Mathili and Kudumulguma. The outlying stations are at Mottu, Mathili and Kudumulguma.

Smt. Rekha Prasad was the District and Sessions Judge till 31<sup>st</sup> July, 2022 and

Smt. Ajanta Sadangi took over on 1<sup>st</sup> August, 2022 and continuing.

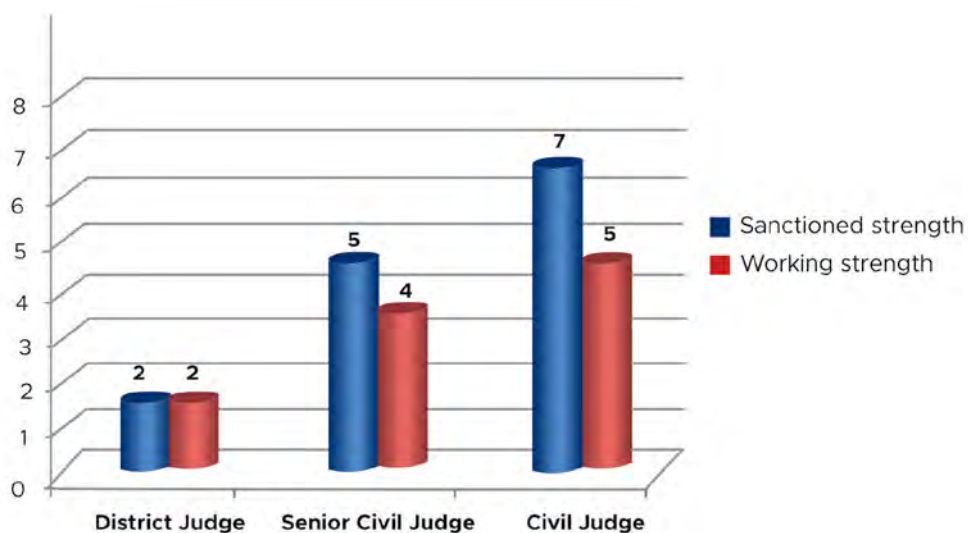
The new District Court building was inaugurated on 10<sup>th</sup> September, 2021.

Since 17<sup>th</sup> September, 2022 the court of Chief Judicial Magistrate is functioning as paperless court.

The Judgeship was last inspected on 5<sup>th</sup> November, 2022 by the Administrative Judge, Justice Shri M.S. Raman.

Apart from the District and Sessions Judge, the judgeship consists of the following courts.

Name of the Court	Number of Courts
Addl. District and Sessions Judge	1
Ad-hoc ADJ (FTSC)	1
Chief Judicial Magistrate	1
A.S.J.-cum-Registrar, Civil Courts	1
Senior Civil Judge	1
Sub-Divisional Judicial Magistrate	1
Civil Judge (Jr. Div.)-cum-J.M.F.C.	2
JMFC	3 (includes 1 Court of J.M.F.C. (LR) )

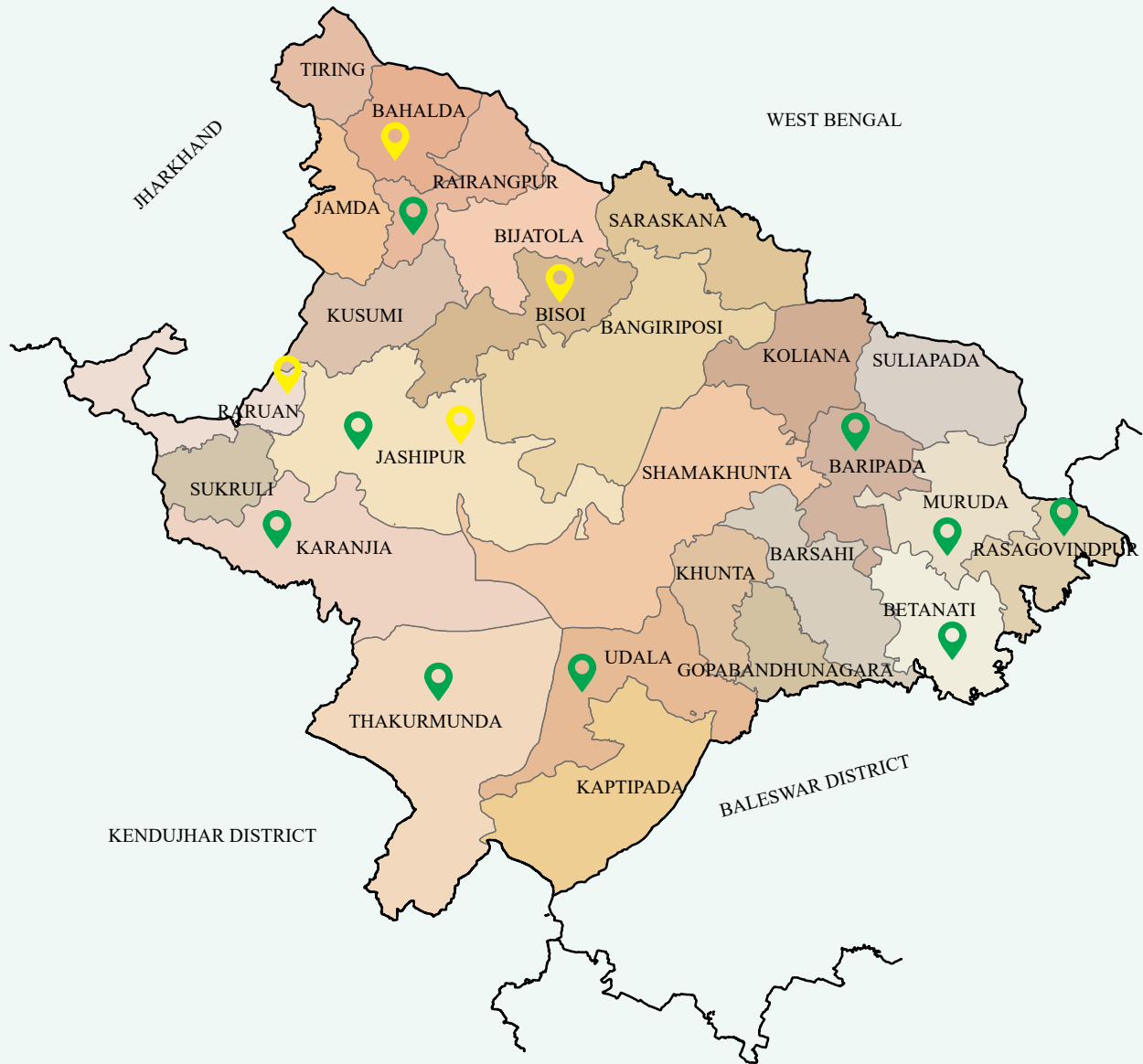


Number of judges in each court

### Case Statistics

Year	Opening Balance			Institution			Disposed of			Pending Cases at the end of 31 <sup>st</sup> December		
	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total
<b>2021</b>	360	8,941	<b>9,301</b>	169	4,627	<b>4,796</b>	153	2,891	<b>3,044</b>	376	10,677	<b>11,053</b>
<b>2022</b>	376	10,677	<b>11,053</b>	292	7,126	<b>7,418</b>	246	7,852	<b>8,098</b>	422	9,951	<b>10,373</b>

# Mayurbhanj



 Existing Court Complex  Proposed Court Complex





*District Court Building, Mayurbhanj*



The erstwhile Princely State of Mayurbhanj was merged in the state of Odisha on 1<sup>st</sup> January, 1949 and the Court of the District & Sessions Judge, Mayurbhanj was established simultaneously.

The District Court is functioning in a two-storied heritage building on an area of 9072 sq.ft. There are 16 court rooms, five of which

are functioning in the heritage building and the rest are functioning adjacent to the said building in the premises of Civil Court. The outlying stations are at Rajgangpur, Udala, Karanjia, Betnoti, Morada, Thakurmunda, Rasgobindapur and Jashipur

The Vulnerable Witness Deposition Centre was established in the district on 14<sup>th</sup> May, 2022.

Since 17<sup>th</sup> September, 2023, the court of 2<sup>nd</sup> Additional Senior Civil Judge at Baripada is functioning as paperless court.

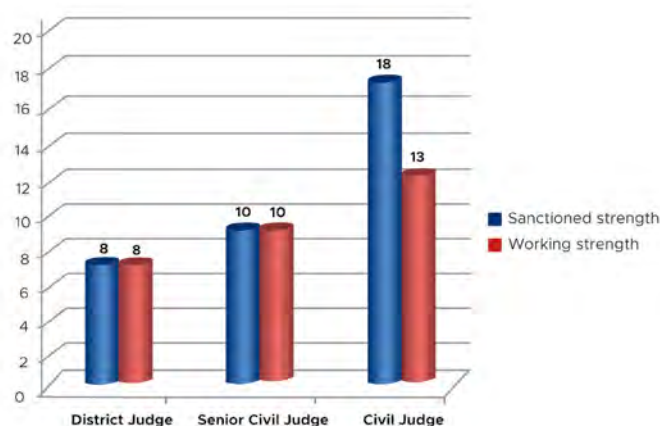
Shri Pradeep Pattanaik was the District and Sessions Judge till 14<sup>th</sup> July, 2022.

Shri Aurobindo Pattnaik took over on 19<sup>th</sup> July, 2022 and still continuing.

The Judgeship was last inspected on 9<sup>th</sup> September, 2022 by the Administrative Judge Shri A. K. Mohapatra.

Apart from the District and Sessions Judge, the judgeship consists of the following courts.

Name of the Court	Number of Courts
Judge Family Court	1
Addl. District and Sessions Judge	4
Exclusive POCSO Special Court	1
Ad-hoc ADJ (FTSC)	1
Special Judge Vigilance	1
Chief Judicial Magistrate	1
A.S.J.-cum-Registrar, Civil Courts	2
Senior Civil Judge	5 (includes 1 Court of Senior Civil Judge (LR))
Addl. Senior Civil Judge	2
Sub-Divisional Judicial Magistrate	4
Civil Judge (Jr. Divn.)-cum-J.M.F.C.	5
JMFC	9 (includes 1 Courts of J.M.F.C. (LR), 1 cognizance taking Court of JMFC)



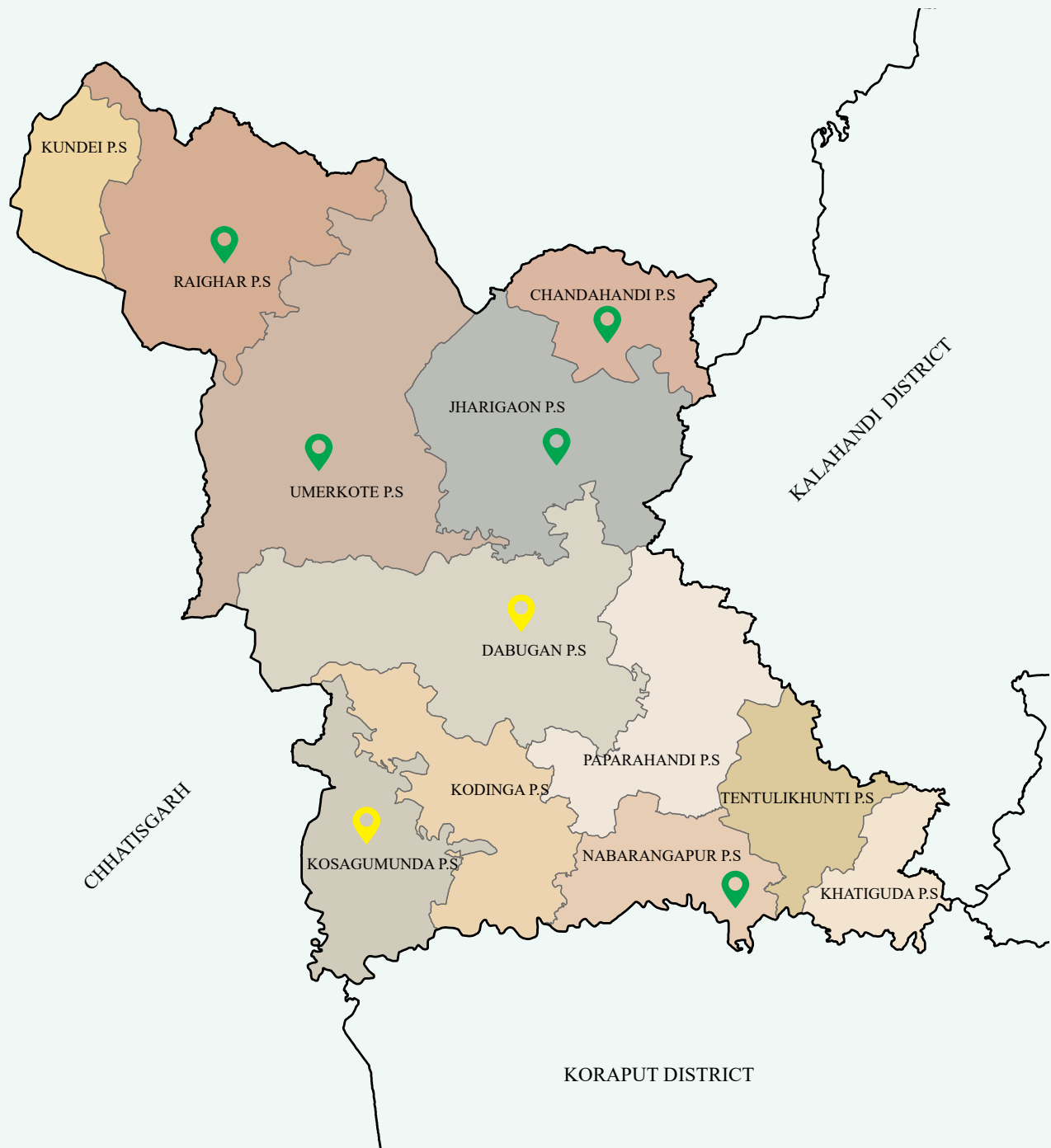
Number of judges in each court

## Case Statistics

Year	Opening Balance			Institution			Disposed of			Pending Cases at the end of 31 <sup>st</sup> December		
	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total
<b>*2021</b>	12,697	51,151	<b>63,848</b>	2,503	10,264	<b>12,767</b>	2,113	4,976	<b>7,089</b>	13,062	56,130	<b>69,192</b>
<b>2022</b>	13,062	56,130	<b>69,192</b>	3,330	15,113	<b>18,443</b>	3,902	15,959	<b>19,861</b>	12,490	55,284	<b>67,774</b>

\*Closing Balance changed due to physical verification

# Nabarangpur



 Existing Court Complex  Proposed Court Complex

The District Courts





*District Court Building, Nabarangpur*



*From left to right record room and store house*

The Court of District & Sessions Judge, Nabarangpur started functioning with effect from 22<sup>nd</sup> October, 2011, after being separated from its parent Judgeship of Koraput.

The building has 11 court rooms including Children's Court, Judges library, Bar hall, VC cabin and lift. It also has modern amenities like kiosks to ascertain the case status and display boards. The outlying stations are at Umerkote, Raigarh, Chandahandi and Jharigaon

The Court of Civil Judge-cum-S.D.J.M. became

paperless on 17<sup>th</sup> September, 2022.

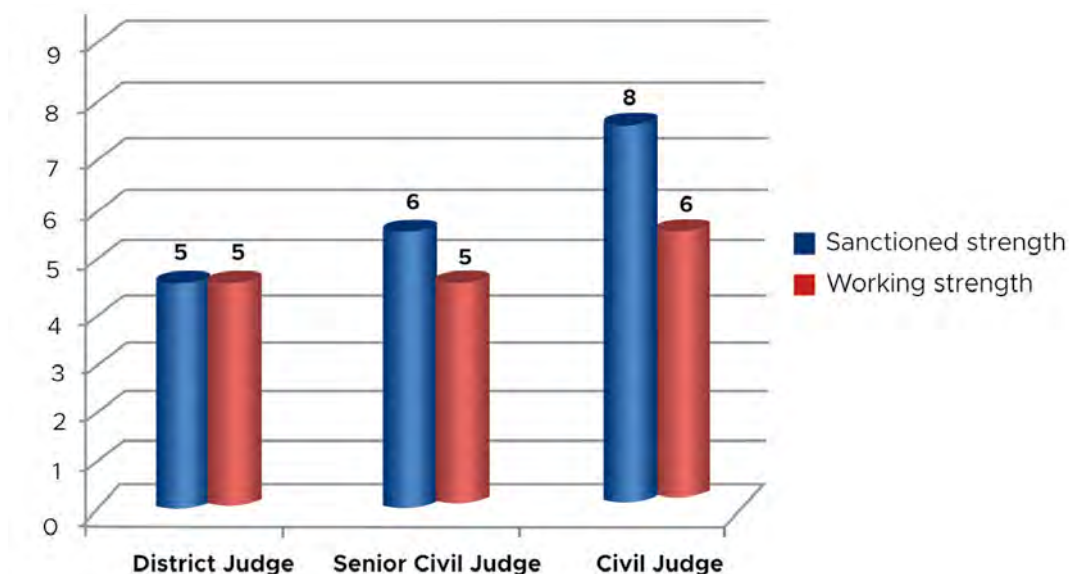
Nabarangpur comes under the DCDH of Koraput at Jaipur which was inaugurated on 12<sup>th</sup> December, 2022 in virtual mode by the Chief Justice of India.

Throughout the year, Shri Sanjib Dubey was the District and Session Judge

The Judgeship was last inspected on 2<sup>nd</sup> November, 2022 by the administrative Judge, Justice S.K Mishra.

Apart from the District and Sessions Judge, the judgeship consists of the following courts.

Name of the Court	Number of Courts
Judge, Family Court	1
Addl. District & Sessions Judge	2
Exclusive POCSO Special Court	1
Ad-hoc ADJ (FTSC)	1
Chief Judicial Magistrate	1
A.S.J.-cum-Registrar, Civil Courts	1
Senior Civil Judge	2
Sub-Divisional Judicial Magistrate	1
Civil Judge (Jr. Divn.)-cum-J.M.F.C.	2
JMFC	3 + 1 (LR)
Special Judicial Magistrate	1
Gram Nyayalaya	1

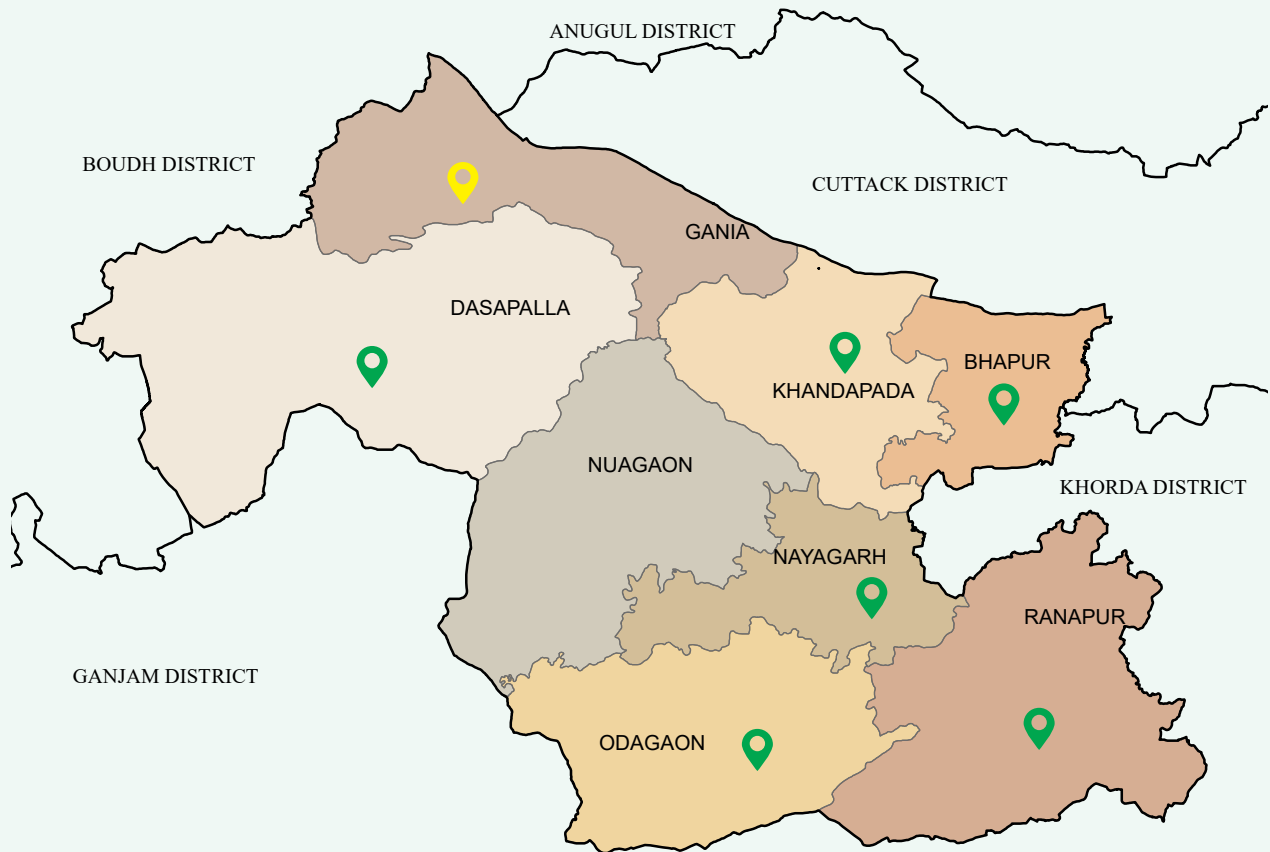


Number of judges in each court

## Case Statistics

Year	Opening Balance			Institution			Disposed of			Pending Cases at the end of 31 <sup>st</sup> December		
	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total
<b>2021</b>	1,080	26,089	<b>27,169</b>	316	4,787	<b>5,103</b>	224	2,846	<b>3,070</b>	1,172	28,030	<b>29,202</b>
<b>2022</b>	1,172	28,030	<b>29,202</b>	387	3,914	<b>4,301</b>	469	7,097	<b>7,566</b>	1,090	24,847	<b>25,937</b>

# Nayagarh



SURADA

 Existing Court Complex    Proposed Court Complex





*District Court Building, Nayagarh*



*Storehouse*



*District Court Digitization Hub*

On the 8<sup>th</sup> July, 2011, the Judgeship of Nayagarh was carved out of the Puri Judgeship as an independent Judgeship.

The District Court started functioning in the new building from 22<sup>nd</sup> April, 2018 onwards. It was constructed by the R&B at an estimated cost of 23 crores. The outlying stations are at Daspalla, Khandapara, Ranpur, Odogaon and Bhapur

A virtual court room was inaugurated on 1<sup>st</sup> November, 2021. A District Court Digitisation Hub was inaugurated by the Chief justice of India on 12<sup>th</sup> December, 2022.

The District Court Digitization Hub (DCDH) was inaugurated on 12<sup>th</sup> December, 2022 in virtual mode by the Chief Justice of India and it serves as a hub for Kandhamal.

The Court of Chief Judicial Magistrate became paperless on 17<sup>th</sup> September, 2022.

There are 15 Court rooms in the building. It consists of a Model Virtual Court, Biometric Attendance System, Fire Extinguisher, Lifts, CCTV, Fire Alarm System, E-Sewa Kendra, May I help You Desk, Ramp Facility, Wheel Chair, and ICT enabled Court Halls & Offices.

On 10<sup>th</sup> December, 2022, the Chief Justice of the High Court of Orissa in the presence of Justice Dr. B.R. Sarangi:

- (i) Inaugurated the Construction of the Court Building Gram Nyayalaya at Bhapur, which was completed by OSPH & WC Ltd. at an estimated cost of Rs. 7.40 crores.
- (ii) Inaugurated the Construction of Transit House at Bhapur was completed on 10<sup>th</sup> December, 2022 by Rural Works at an estimated cost of Rs. 56.48 Lakhs.
- (iii) Laid the Foundation stone for Construction of JMFC Court Building at Gania on 10<sup>th</sup> December, 2022, the project is to be executed by Rural Works at an estimated cost of Rs. 5.48 Crores.
- (iv) Inaugurated the construction of D-Type Residential quarters for JMFC at Bhapur which was completed on 10<sup>th</sup> December, 2022 by Rural Works Department at an estimated cost of Rs. 63.51 Lakhs.
- (v) Laid the foundation stone of projects such as “Construction of Transit House at Daspalla”, “Construction of canteen-cum-Bar Association Hall at JMFC Court Complex at Daspalla”, “Construction of Transit House at Nayagarh”, “Construction of Bar Association Hall-cum-Canteen of District Judge Court Building at Nayagarh”, “Construction of Record Room-

cum-Malkhana of District Judge Court Building at Nayagarh” and “Construction of 32 nos. of F-type Staff quarters at Nayagarh” on 10<sup>th</sup> December, 2022 and all the projects are to be executed by R&B (Roads and Building) at an estimated cost of Rs. 97.63 Lakhs, Rs. 2.31 Crores, Rs. 4.16 Crores, Rs. 4.70 Crores, Rs. 1.77 Crores and Rs. 5.45 Crores respectively.

- (vi) Inaugurated the construction of 44 of E-Type staff quarters at Nayagarh which was completed on 10<sup>th</sup> December, 2022 by R&B Department at an estimated cost of Rs. 9.17 Crores.
- (vii) Inaugurated the construction of B-Type Residential quarters for Judge, Family Court at Nayagarh. The construction of such was completed on 31<sup>st</sup> March, 2022 by OSPH & WC Ltd. at an estimated cost of Rs. 1.37 Crores.

On 31<sup>st</sup> March, 2022 the Chief Justice in the presence of Justice Dr. B. R. Sarangi inaugurated the construction of B-Type Residential Quarters for Additional District & Sessions Judge at Nayagarh which was completed on by OSPH & WC Ltd. (Odisha State Police Housing & Welfare Corporation Ltd.) at an estimated cost of Rs. 1.29 Crores.

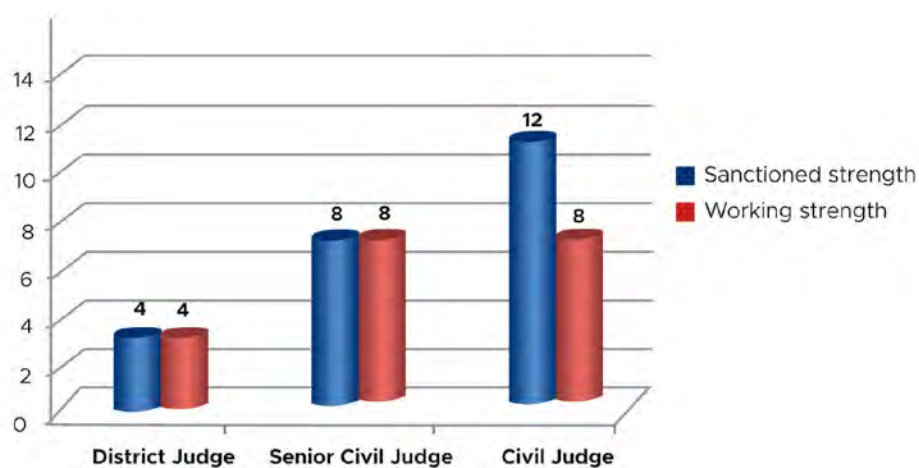
Throughout the year, Smt. Rupashree Chowdhury was the District and Sessions Judge.

The Judgeship was last inspected on 23<sup>rd</sup> July, 2022 by the administrative Judge, Justice V. Narasingh.

Nayagarh has been adjudged as the best performing district of 2022 in Zone ‘B’.

Apart from the District and Sessions Judge, the judgeship consists of the following courts.

Name of the Court	Number of Courts
Judge, Family Court	1
Addl. District & Sessions Judge	1
Exclusive POCSO Special Court	1
Ad-hoc ADJ (FTSC)	1
Chief Judicial Magistrate	1
A.S.J.-cum-Registrar, Civil Courts	1
Senior Civil Judge	3 + 1 (Women'S Court) + 1 (LR)
Sub-Divisional Judicial Magistrate	1
Civil Judge (Jr. Divn.)-cum-J.M.F.C.	3
JMFC	5 + 1 (LR)
Gram Nyayalaya	1



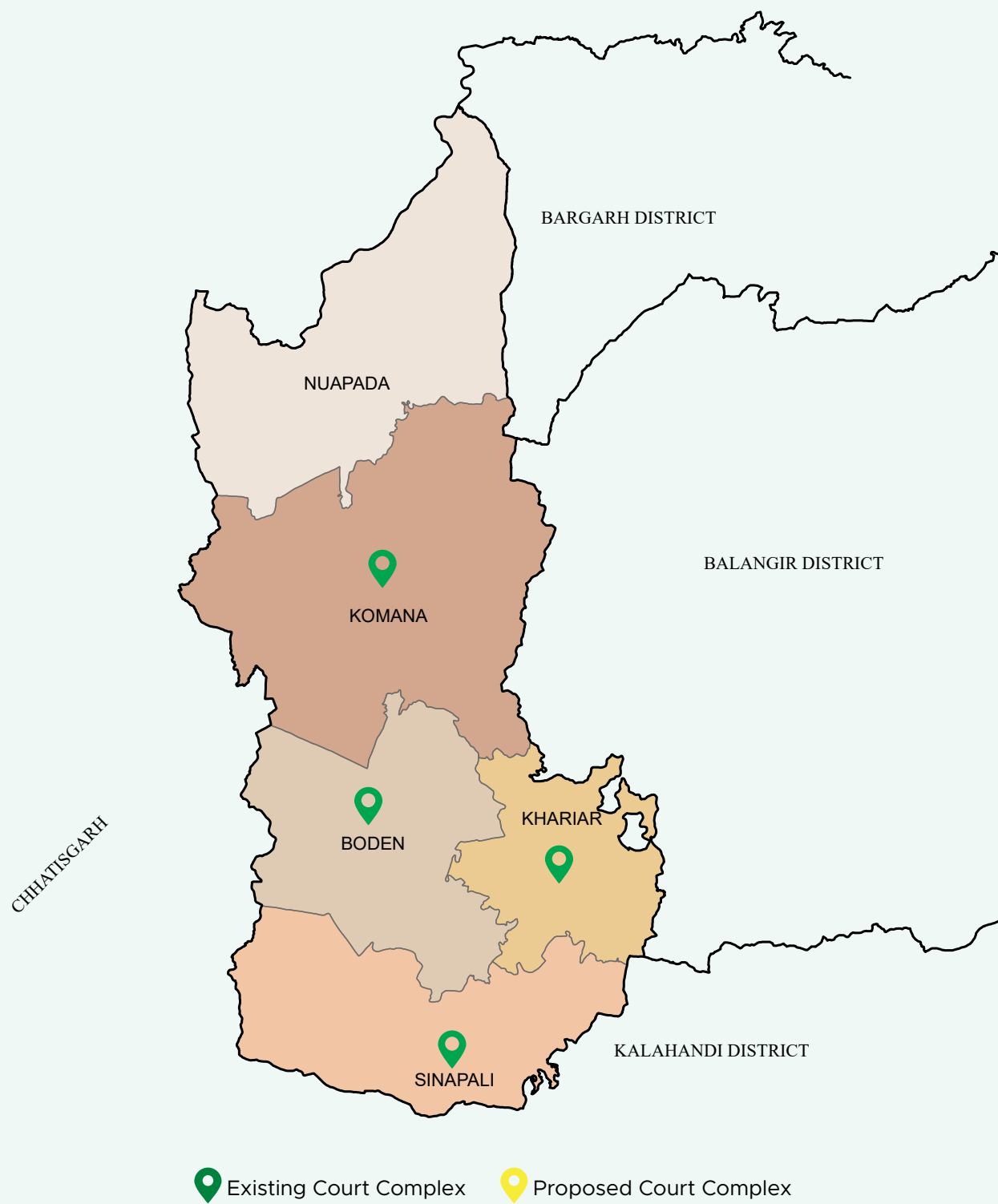
Number of judges in each court

## Case Statistics

Year	Opening Balance			Institution			Disposed of			Pending Cases at the end of 31 <sup>st</sup> December		
	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total
2021	4,194	24,792	28,986	1,556	6,519	8,075	828	3,425	4,253	4,922	28,147	33,069
2022	4,922	28,147	33,069	1,795	6,897	8,692	2,023	10,359	12,382	4,694	24,685	29,379



# Nuapada





*District Court Building, Nuapada*



*From left to right of the top row- Mock-drill on Disaster management, Platanation of Royal palm tree, Record room after disposal. From left to right of the bottom row- Health camp, Store House after destruction of NDPS items*

The Nuapada judgeship was inaugurated on 7<sup>th</sup> July 2012, after being bifurcated from the Kalahandi judgeship.

The combined judgeship of Kalahandi-Nuapada- Bolangir started functioning with effect from 17<sup>th</sup> June, 1948 with its headquarters at Bolangir. Judgeship of Kalahandi-Nuapada was separated with effect from 28<sup>th</sup> February, 1982 from Bolangir judgeship. After creation of Nuapada as a separate District, the

Kalahandi-Nuapada Judgeship continued till 6<sup>th</sup> July, 2012 till the Judgeship of Nuapada was separated on 7<sup>th</sup> July, 2012 from Kalahandi-Nuapada Judgeship. Presently, the judgeship is functioning with outlying courts at Khariar, Sinapali, Boden and Komna.

The Court of District and Sessions Judge became paperless on 17<sup>th</sup> September, 2022.

Nuapada comes under the DCDH of Kalahandi at Bhawanipatna which was inaugurated on

12<sup>th</sup> December, 2022 in virtual mode by the Chief Justice of India.

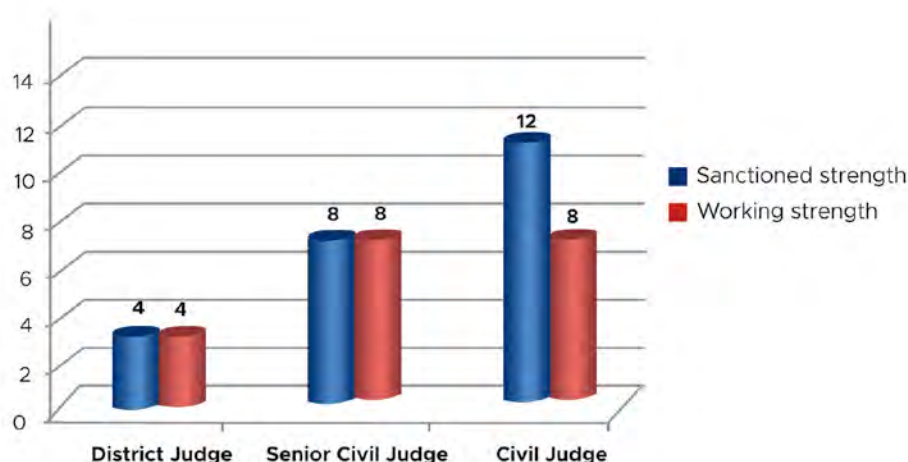
The Construction of D-type residential quarters for Gram Nyayalaya-cum-JMFC at Komnawas completed on 30<sup>th</sup> September, 2022 by OSPH & WC Ltd. at an estimated cost of Rs. 64.64 Lakhs.

Shri Sangram Keshari Pattanaik continuing as the District and Session Judge since 1<sup>st</sup> January, 2022.

The Judgeship was last inspected on 22<sup>nd</sup> October, 2022 by the administrative Judge Justice G. Satapathy.

Apart from the District and Sessions Judge, the judgeship consists of the following courts.

Name of the Court	Number of Courts
Addl. District & Sessions Judge	1
Chief Judicial Magistrate	1
A.S.J.-cum-Registrar, Civil Courts	1
Senior Civil Judge	2 + 1 (Women's Court)
Sub-Divisional Judicial Magistrate	1
Civil Judge (Jr. Divn.)-cum-J.M.F.C.	2
Addl. C.J.-cum-J.M.F.C.	1
JMFC	1 + 1 (LR)
Gram Nyayalaya	3



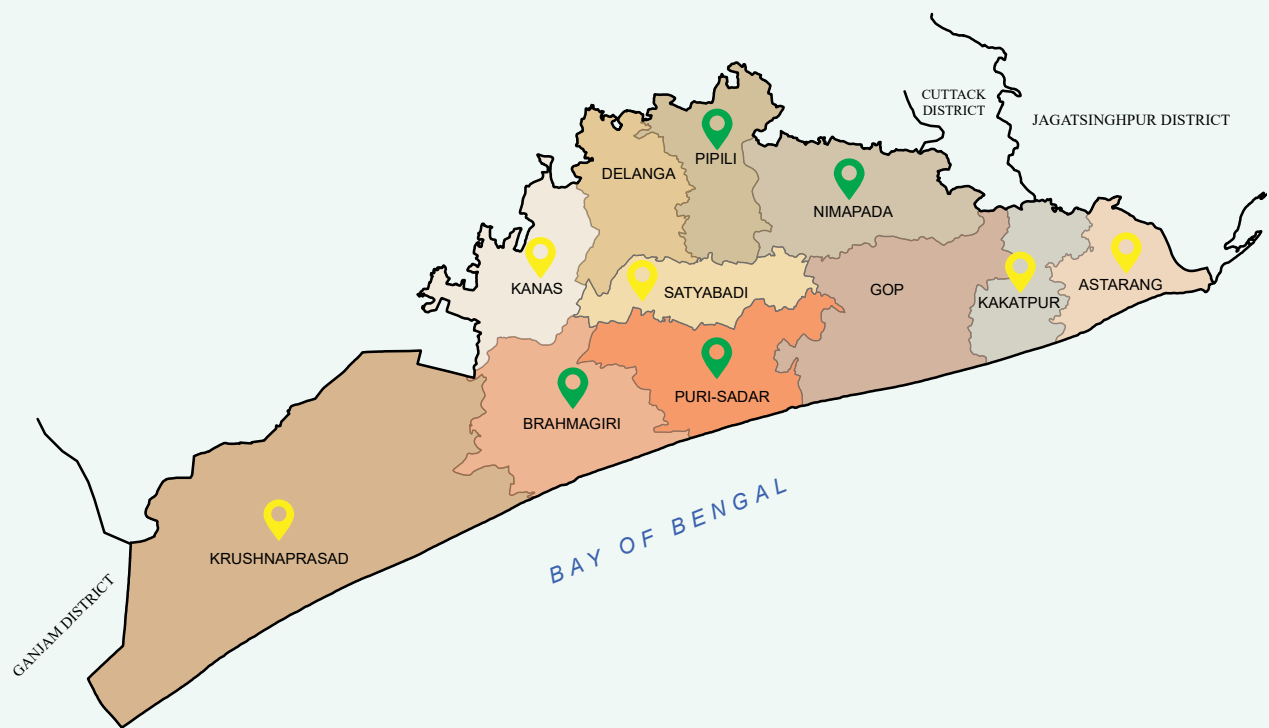
Number of judges in each court

## Case Statistics

Year	Opening Balance			Institution			Disposed of			Pending Cases at the end of 31 <sup>st</sup> December		
	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total
2021	2,450	14,604	17,054	609	4,005	4,614	268	2,633	2,901	2,791	15,976	18,767
2022	2,791	15,976	18,767	803	5,174	5,977	832	4,224	5,056	2,762	16,926	19,688



# Puri



 Existing Court Complex     Proposed Court Complex



*District Court Building, Puri*



*From Left to Right Record room, Store house and Garden*

The Judgeship of Puri started functioning from 15<sup>th</sup> July, 1957 with its headquarters at Puri. The District Court building was established on 25<sup>th</sup> April 1971. Spread over an area of 1,17,186 sq. ft., this building has 19 Court rooms. The outlying stations are at Nimapada, Pipili, Brahmagiri, Kanasa and Konark

The Court of Additional District and Sessions judge (POCSO) became paperless on 17<sup>th</sup> September, 2022.

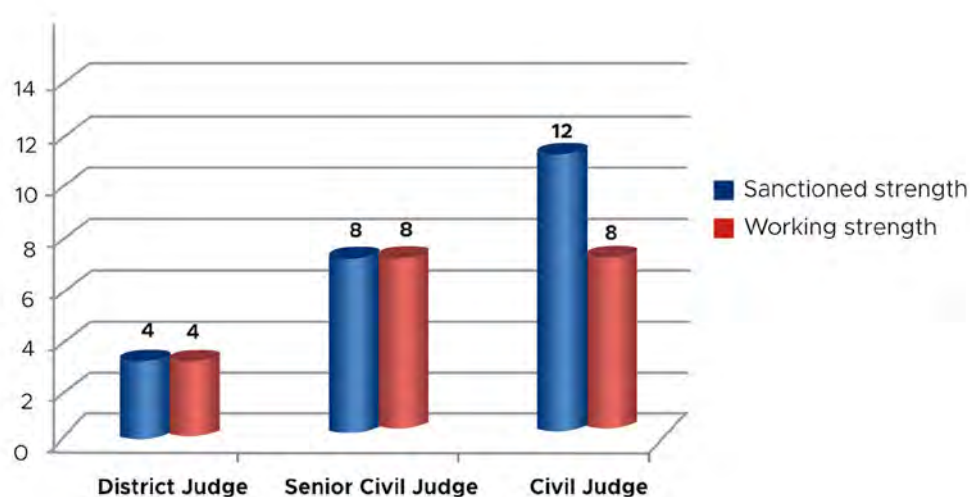
Puri comes under the DCDH at Cuttack which was inaugurated on 12<sup>th</sup> December, 2022 in virtual mode by the Chief Justice of India.

Shri Dhaneswar Mallick was the Districts and Sessions Judge till 3<sup>rd</sup> December 2022; Shri Sitikantha Samal took over on 9<sup>th</sup> December, 2022 and continuing.

The Judgeship was last inspected on 23<sup>rd</sup> April, 2022 by the administrative Judge Justice B. Mohanty.

Apart from the District and Sessions Judge, the judgship consists of the following courts.

Name of the Court	Number of Courts
Judge, Family Court	1
Addl. District & Sessions Judge	4
Exclusive POCSO Special Court	1
Chief Judicial Magistrate	1
A.S.J.-cum-Registrar, Civil Courts	1
Senior Civil Judge	3
Addl. Senior Civil Judge	1
Sub-Divisional Judicial Magistrate	1
Civil Judge	2
Civil Judge (Jr. Divn.)-cum-J.M.F.C.	4
JMFC	6+2 (Cog taking) + 2 (LR)
Special Judicial Magistrate	1
Gram Nyayalaya	2



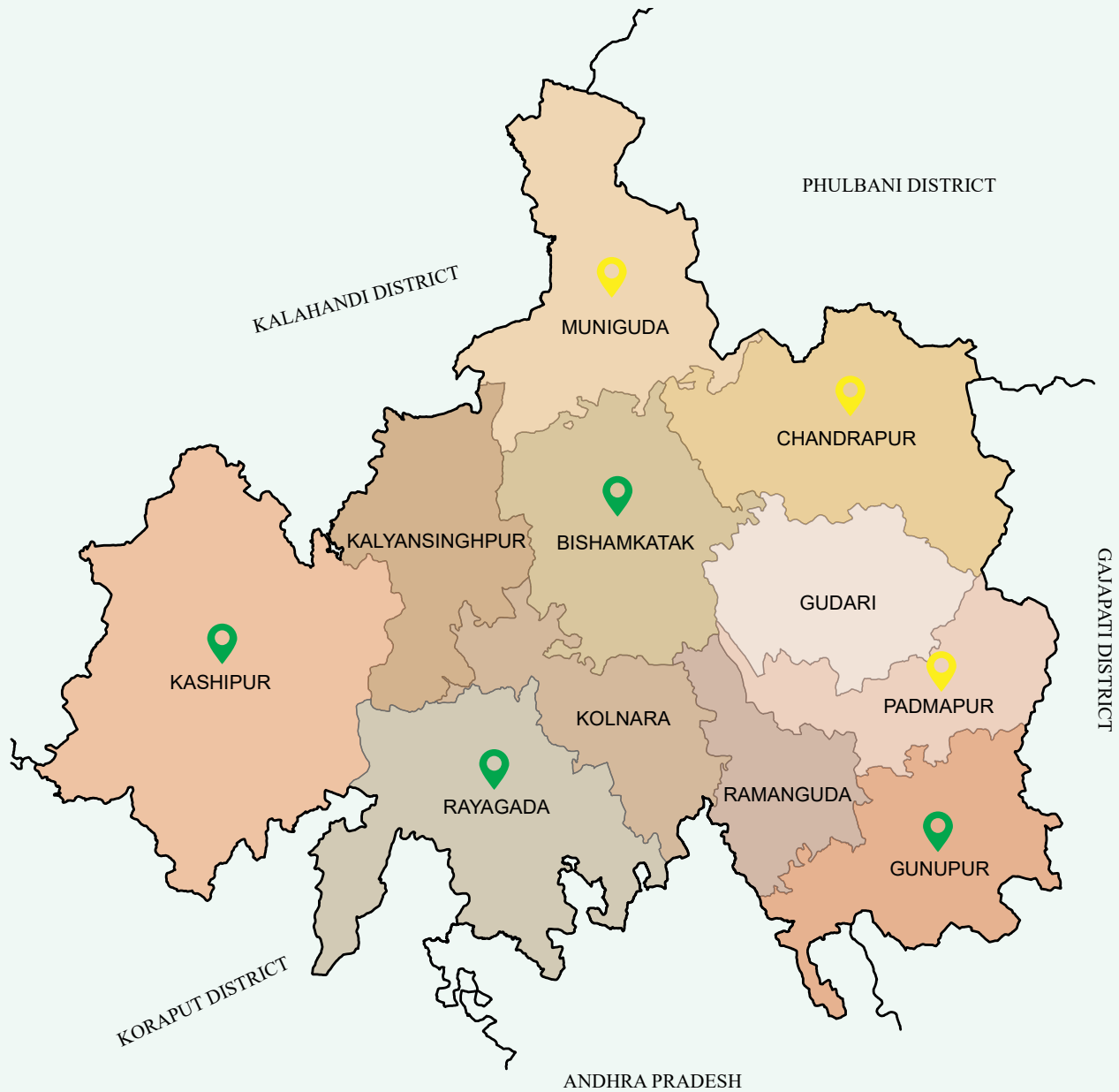
Number of judges in each court

## Case Statistics

Year	Opening Balance			Institution			Disposed of			Pending Cases at the end of 31 <sup>st</sup> December		
	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total
<b>2021</b>	24,233	53,070	<b>77,303</b>	3,060	14,942	<b>18,002</b>	2,024	6,407	<b>8,431</b>	25,269	61,605	<b>86,874</b>
<b>2022</b>	25,269	61,605	<b>86,874</b>	4,279	14,451	<b>18,730</b>	5,439	13,904	<b>19,343</b>	24,109	6,2152	<b>86,261</b>



# Rayagada



 Existing Court Complex     Proposed Court Complex



*District Court Building, Rayagada*



*From left to right- Record room and storehouse*

The Rayagada Judgeship was separated from the parent Koraput Judgeship and began to work function independently from 7<sup>th</sup> July, 2012 with outlying stations at Kashipur, Bissam Cuttack, Gunupur and Kolnara.

The District Court is functioning in the existing Civil Courts premises at Rayagada spread over area of 172149 sq. ft. 12 other courts are functioning in the campus. In addition, the Bar Room, Permanent Lok-Adalat and D.L.S.A. are

also functioning in the Civil Courts premises.

On 20<sup>th</sup> March, 2022 the Chief Justice of the High Court of Orissa in the presence of Justice Dr. B. R. Sarangi laid the foundation stone for a new building complex within the existing court premises. It will be an 8 storeyed building.

The courts of the S.D.J.M. and the Senior Civil Judge are functioning in the Heritage building in the premises.

The Court of Sub-Divisional Judicial Magistrate became paperless on 17<sup>th</sup> September, 2022.

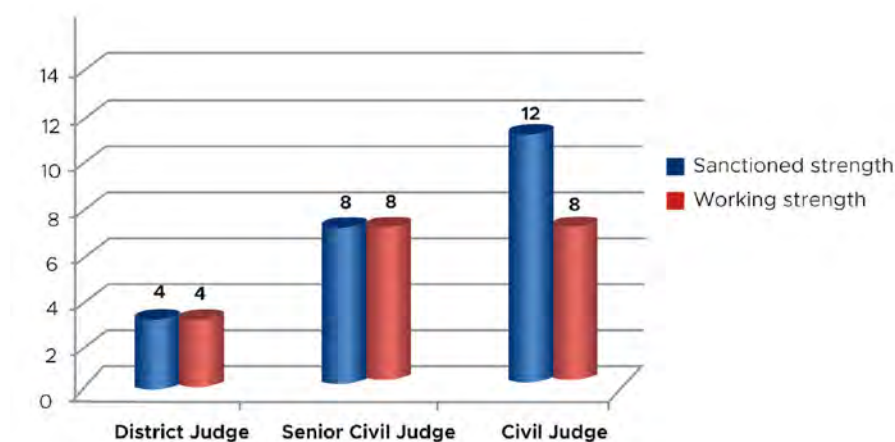
Rayagada comes under the DCDH of Koraput at Jaipur which was inaugurated on 12<sup>th</sup>

December, 2022 in virtual mode by the Chief Justice of India.

The Judgeship was last inspected on 6<sup>th</sup> August, 2022 by the administrative Judge Justice B.P. Satapathy.

Apart from the District and Sessions Judge, the judgeship consists of the following courts.

Name of the Court	Number of Courts
Judge, Family Court	1
Addl. District & Sessions Judge	2
Exclusive POCSO Special Court	1
Ad-hoc ADJ (FTSC)	1
Chief Judicial Magistrate	1
A.S.J.-cum-Registrar, Civil Courts	1
Senior Civil Judge	3 + 1 (Women's Court)
Sub-Divisional Judicial Magistrate	2
Civil Judge (Jr. Divn.)-cum-J.M.F.C.	1
JMFC	4 + 1 (LR)
Gram Nyayalaya	01



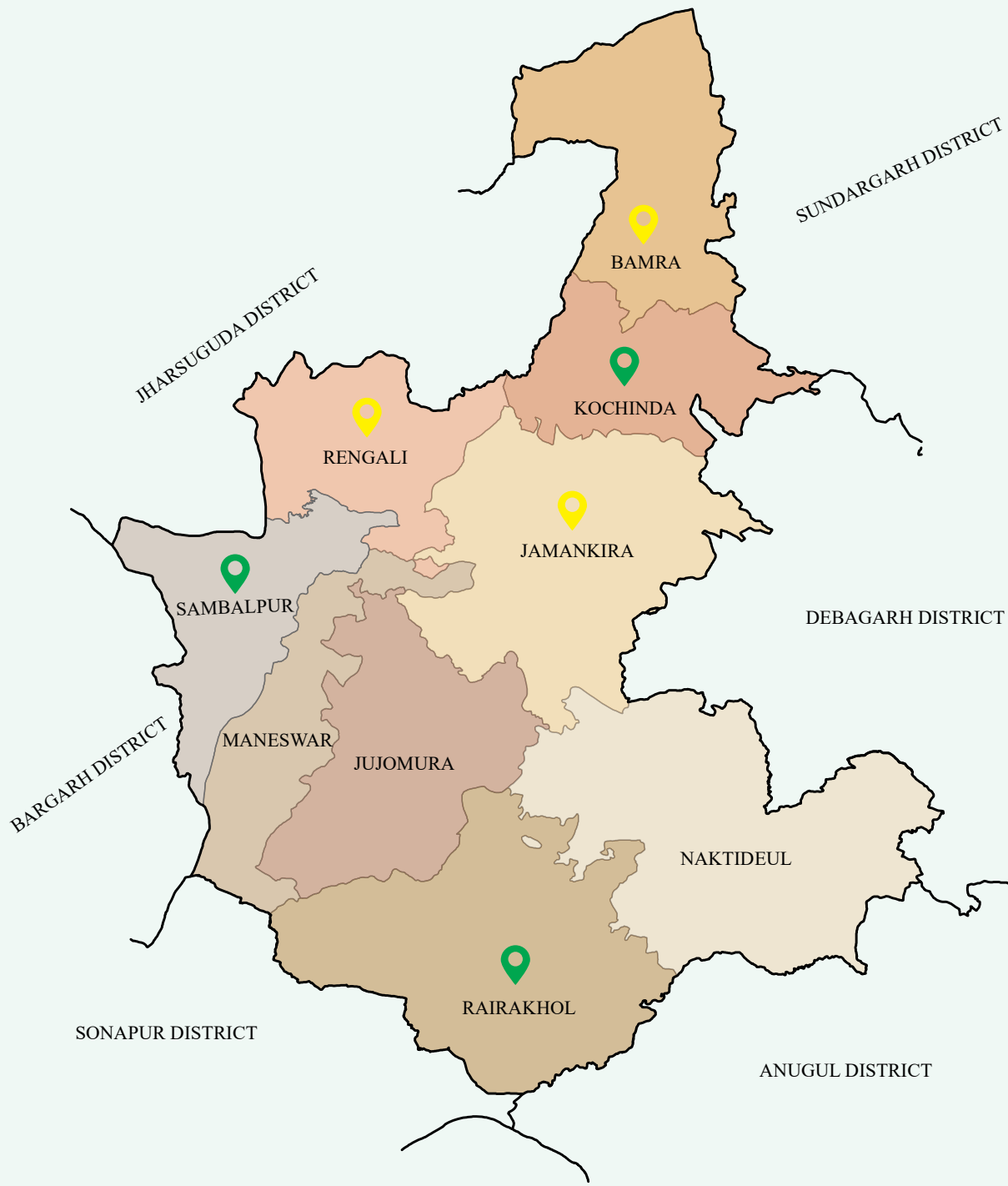
Number of judges in each court

## Case Statistics

Year	Opening Balance			Institution			Disposed of			Pending Cases at the end of 31 <sup>st</sup> December		
	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total
2021	1,694	14,953	16,647	577	5,177	5,754	478	2,079	2,557	1,793	17,907	19,700
2022	1,793	17,907	19,700	747	5,336	6,083	802	4,231	5,033	1,738	19,012	20,750



# Sambalpur



Existing Court Complex



Proposed Court Complex



*District Court Building, Sambalpur*



After creation of the separate State of Odisha in 1936, a new Judgeship named Cuttack- Sambalpur came into being with its headquarters at Cuttack, under the jurisdiction of the Patna High Court.

The Sambalpur District was subsequently divided into four separate Districts. Bargarh District was separated in 1993, and Jharsuguda and Deogarh districts were separated in 1994. Initially, the Courts of Sambalpur were functioning in the old Court building constructed prior to 1947. A new Court building was constructed in 1951 which has two floors. It houses 13 Court rooms. The outlying stations are at Kuchinda and Rairakhol.

The Court of Civil judge-cum-J.M.F.C. became paperless on 17<sup>th</sup> September, 2023.

The District Court Digitization Hub (DCDH) was inaugurated on 12<sup>th</sup> December, 2022 in virtual mode by the Chief Justice of India and it serves as a hub for Bargarh and Deogarh.

Shri Biranchi Narayan Mohanty was the District and Sessions Judge till 18<sup>th</sup> April, 2022. Shri Manas Ranjan Barik took over on 25<sup>th</sup> April 2022.

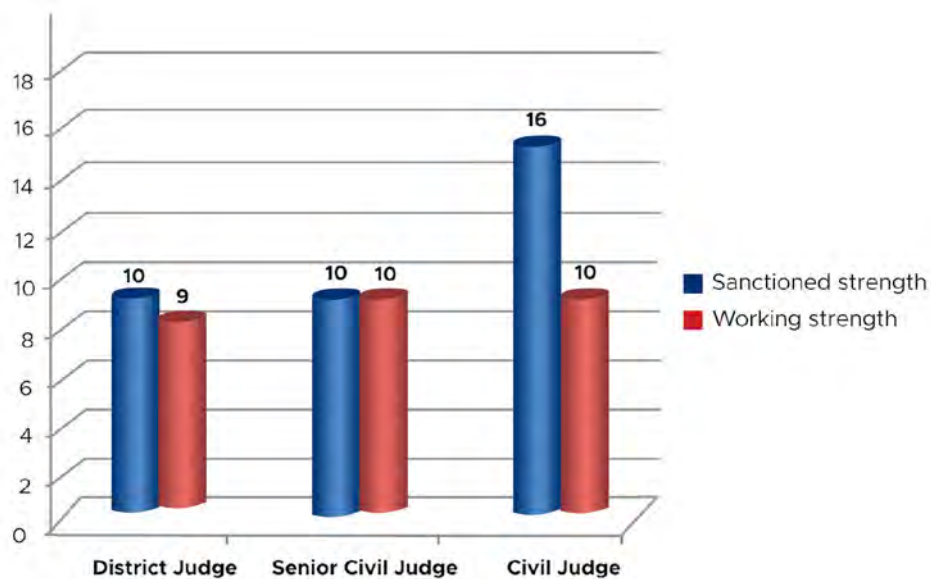
The Judgeship was last inspected on 7<sup>th</sup> May 2022 by the Administrative Judge Justice A. Sinha.

Apart from the District and Sessions Judge, the judgeship consists of the following courts

Apart from the District and Sessions Judge, the judgeship consists of the following courts.

Name of the Court	Number of Courts
Judge, Family Court	1
Addl. District & Sessions Judge	4 + 1 (LR)
Exclusive POCSO Special Court	1
Ad-hoc ADJ (FTSC)	1
Special Judge, Vigilance	1
Special OPID Court	1
2nd MACT (N.D.)	1
LAR & R Authority	1
P. O. Labour Court	1
Chief Judicial Magistrate	1
A.S.J.-cum-Registrar, Civil Courts	1
Senior Civil Judge	3 + 1 (Commercial Court) + 1 (LR)
Addl. Senior Civil Judge	1
Sub-Divisional Judicial Magistrate	3
Civil Judge	1
JMFC	7 + 2 (LR) + 1 (Transport) + 2 (Cog taking)
Special Judicial Magistrate	1



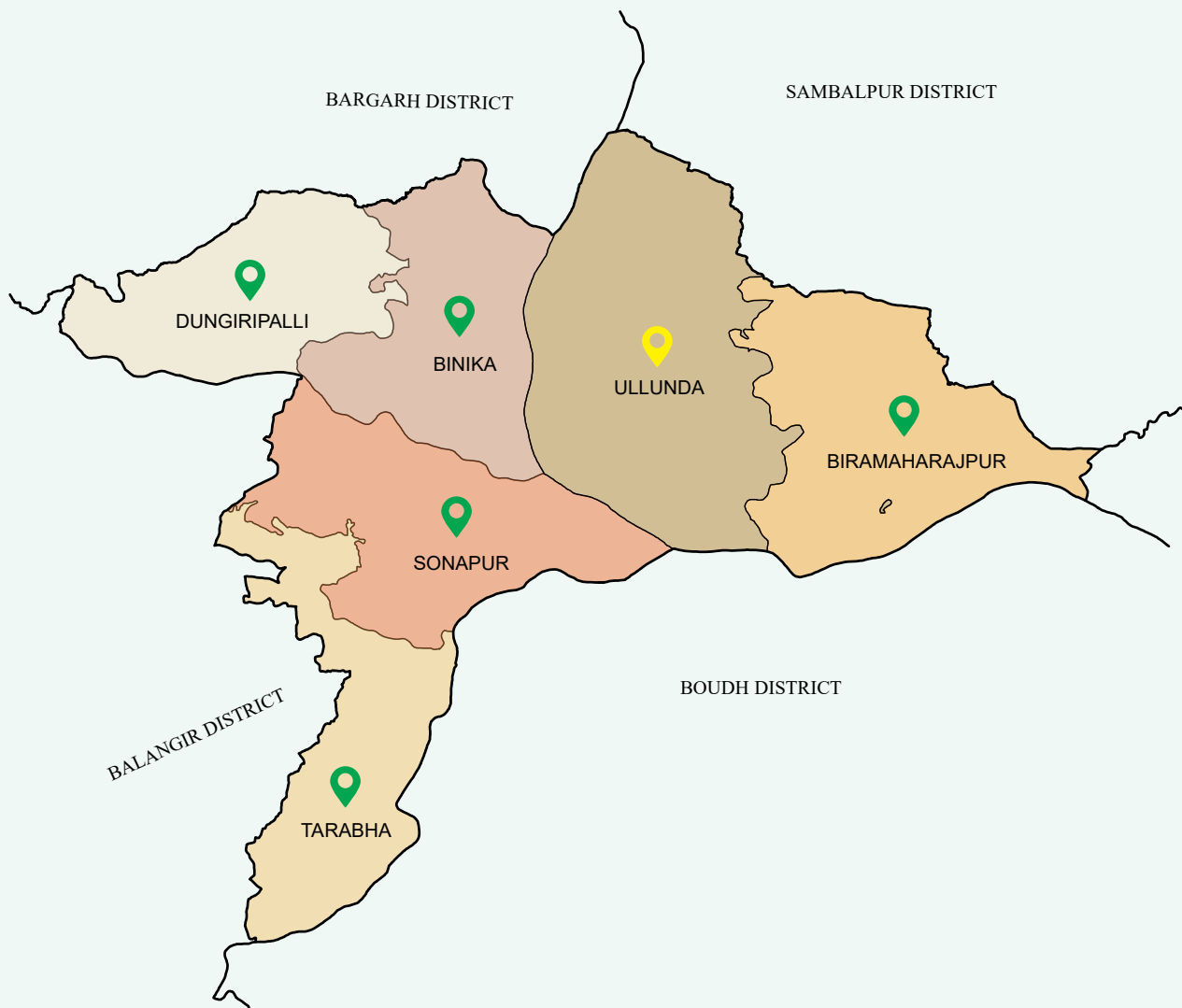


Number of judges in each court

## Case Statistics

Year	Opening Balance			Institution			Disposed of			Pending Cases at the end of 31 <sup>st</sup> December		
	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total
2021	7,750	67,367	75,117	1,494	14,895	16,389	1,229	7,352	8,581	8,025	74,943	82,968
2022	8,437	74,943	83,380	1,890	17,534	19,424	3,094	20,496	23,590	7,233	71,981	79,214

# Sonepur



 Existing Court Complex     Proposed Court Complex



*District Court Building, Sonapur*



*From left to right of the top row- record room, VWDC waiting hall and VWDC deposition centre  
From left to right of the bottom row- DCDH, health camp and inauguration of paperless Court*



The Sonepur Judgeship was established being separated from the Bolangir-Sonepur Judgeship on 23<sup>rd</sup> June 2012, comprising of Sonepur Revenue District.

The new District Court building was inaugurated on 9<sup>th</sup> October 2021 on an area of Ac. 2.173 dec. The building has a basement and four floors. It has a total area of 1,09,644 sq.ft. The new building was constructed by the R & B at an estimated cost of Rs.24.9 crores.

The building has 15 Court rooms including a Children's Court complex and a vulnerable Court room. It also has a e-filing counter, e-Sewa Kendra and Help Desk, conference room, V.C. cabin for advocates, remote V.C. point, crèche and lactation room and a Bar hall. Besides, facilities like canteen, post office, ATM counter and separate C.S.I. are available. The outlying stations are at Birmaharajpur,

Rampur, Binika, Tarava and Dunguripali

The Construction of C-Type quarters for Secretary, DLSA at Sonepur was completed on 4<sup>th</sup> June, 2022 by R&B Department at an estimated cost of Rs. 57.41 Lakhs.

The Court of Chief judicial Magistrate became paperless on 17<sup>th</sup> September, 2022.

The District Court Digitization Hub (DCDH) was inaugurated on 12<sup>th</sup> December, 2022 in virtual mode by the Chief Justice of India and it serves as a hub for Balangir and Boudh.

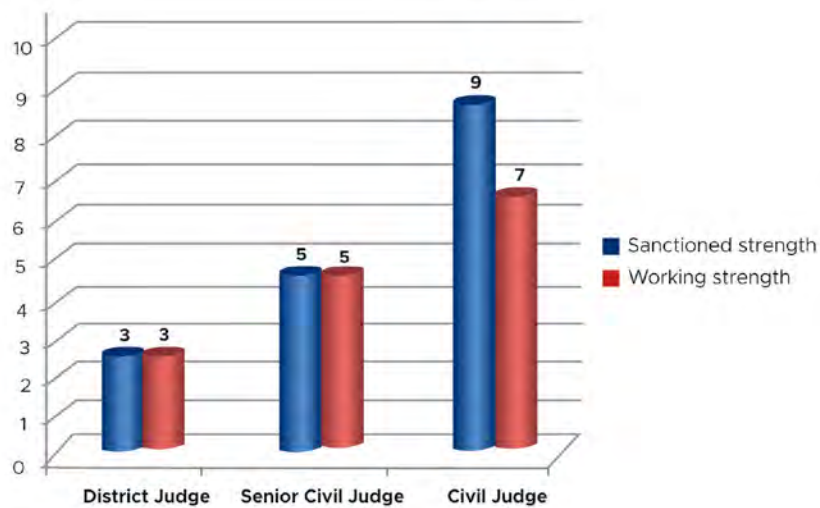
Shri Rasmi Mohan Acharya joined as Judge on 20<sup>th</sup> July 22 and is continuing till date.

The Judgeship was last inspected on 19<sup>th</sup> February 2022 by the Administrative Judge Justice B. Rath.

Apart from the District and Sessions Judge, the judgeship consists of the following Courts

Apart from the District and Sessions Judge, the judgeship consists of the following courts.

Name of the Court	Number of Courts
Judge, Family Court	1
Addl. District & Sessions Judge	1
Chief Judicial Magistrate	1
A.S.J.-cum-Registrar, Civil Courts	1
Senior Civil Judge	2
Sub-Divisional Judicial Magistrate	2
Civil Judge (Jr. Divn.)-cum-J.M.F.C.	3
JMFC	2 + 1 (LR)
Gram Nyayalaya	1



Number of judges in each court

## Case Statistics

Year	Opening Balance			Institution			Disposed of			Pending Cases at the end of 31 <sup>st</sup> December		
	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total
<b>*2021</b>	3,490	16,186	<b>19,676</b>	425	5,769	<b>6,194</b>	467	2,882	<b>3,349</b>	3,442	19,058	<b>22,480</b>
<b>2021</b>	3,490	16,186	<b>19,676</b>	425	5,769	<b>6,194</b>	467	2,882	<b>3,349</b>	3,442	19,058	<b>22,480</b>

*\*Closing Balance changed due to physical verification*

# Sundargarh



 Existing Court Complex  Proposed Court Complex





*District Court Building, Sundargarh*



*From left to right of the top row- record room, VWDC waiting hall and VWDC deposition centre  
From left to right of the bottom row- DCDH, health camp and inauguration of paperless Court*

Sundargarh District was created out of the two former Princely states of Gangpur and Bonai, which integrated with Orissa on 1<sup>st</sup> January 1948. After 1<sup>st</sup> April 1978, Sundargarh Judgeship was separated from Sambalpur Judgeship, and from then onwards the District Court started functioning. The outlying stations are at Bonai, Rajgangpur, Himagiri, Biramitrapur and Rourkela.

The District Court is functioning in its old building from 1<sup>st</sup> April, 1985. It is a two-storied building with a ground floor of 15,260 sq.ft. and the first floor, about 11,772 sq.ft. It has 9 Court rooms, offices of different Courts, Video Conferencing Room, e-Sewa Kendra and V.C. cabin.

The Court of Additional District Judge became paperless on 17<sup>th</sup> September, 2022.

Sundargarh comes under the DCDH at Jharsuguda which was inaugurated on 12<sup>th</sup> December, 2022 in virtual mode by the Chief Justice of India.

The Court of Additional District Judge became

paperless on 17<sup>th</sup> September, 2022.

Sundargarh comes under the DCDH at Jharsuguda which was inaugurated on 12<sup>th</sup> December, 2022 in virtual mode by the Chief Justice of India.

The foundation stone of Construction of new District Court Building, Sundargarh was laid on 5<sup>th</sup> March, 2022 and the project is to be executed by R&B (Roads and Building) at an estimated cost of Rs. 45.43 Crores. Similarly, foundation stone for Construction of Civil Court Building at Rourkela was laid on 5<sup>th</sup> March, 2022 by R&B (Roads and Building) at an estimated cost of Rs. 43.85 Crores.

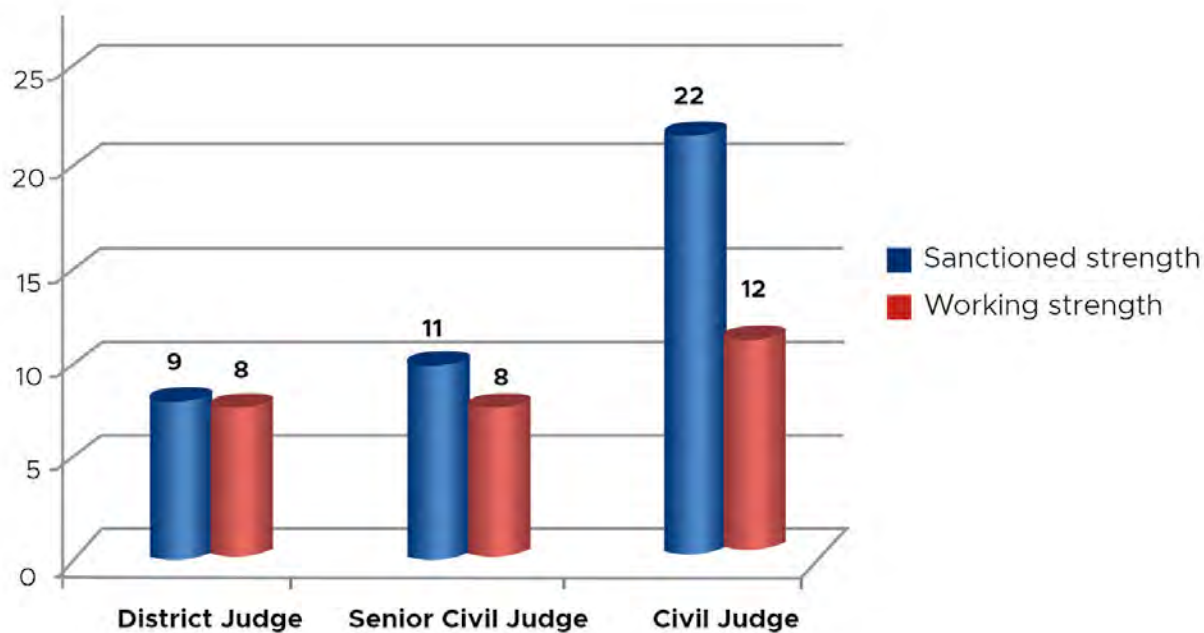
Shri Subhadarshi Patnaik joined as Dist. Judge, Sundargarh on 29<sup>th</sup> November 2021 and continuing till date.

The Judgeship was last inspected on 20<sup>th</sup> August 2022 by the Administrative Judge Justice K.R. Mohapatra.

Apart from the District and Sessions Judge, the judgeship consists of the following courts

Apart from the District and Sessions Judge, the judgeship consists of the following courts.

Name of the Court	Number of Courts
Judge, Family Court	1
Addl. District & Sessions Judge	4
Exclusive POCSO Special Court	1
P.O. Industrial Tribunal	1
Chief Judicial Magistrate	2
A.S.J.-cum-Registrar, Civil Courts	1
Senior Civil Judge	4
Sub-Divisional Judicial Magistrate	3
Civil Judge	1
Civil Judge (Jr. Divn.)-cum-J.M.F.C.	2
JMFC	9 + 2 (LR) + 2(Rural)
Special Judicial Magistrate	1



Number of judges in each court

### Case Statistics

Year	Opening Balance			Institution			Disposed of			Pending Cases at the end of 31 <sup>st</sup> December		
	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total
2021	11,859	76,488	88,347	2,058	20,912	22,970	2,257	12,580	14,837	11,676	84,802	96,478
2022	11,676	84,802	96,478	4,818	38,938	43,756	4,815	42,453	47,268	11,679	81,287	92,966



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Delivered to Gooropershand Roy the Viceroy of the  
 Plaintiff. This 11<sup>th</sup> February 1854.

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## Significant Judgements

According to the website of the High Court of Orissa<sup>1</sup>, the judges of the High Court delivered, in all, total 2168 judgments in 2022. In this chapter, a summary of the judgments delivered by each of the judges which make a significant contribution to the development of the law has been set out. On account of paucity of space, this has been limited to two judgements per judge. Furthermore, this is not an exhaustive list of the significant judgments delivered in 2022 by the Orissa High Court.

### I. CHIEF JUSTICE DR. S. MURALIDHAR

#### i. **M/S. M. G. Mohanty and Anr. v. State of Odisha and Ors.**

*Case Number:* WP(C) No. 3523 of 2022 and batch

*Coram:* **Dr. S. Muralidhar CJ** and Justice R. K. Pattanaik

*Date of decision:* 8<sup>th</sup> April, 2022

The question of law before the Court concerned the interpretation as well as interplay of the provisions of the Commercial Courts Act, 2015 (CC Act) with the provisions of the Arbitration and Conciliation Act, 1996 (A & C Act). The petitions also questioned a Notification dated 13<sup>th</sup> November, 2020 issued by the State of Odisha through its Principal Secretary, Law Department in establishing the Court of the Civil Judge (Senior Division) for the purposes of exercising jurisdictions and powers under the CC Act.

The question was whether for the purposes of the dealing with applications under Sections 9, 14, 34 and so on of the A & C Act, jurisdiction can be conferred on a judicial officer subordinate to the rank of a District Judge, i.e. the Principal Civil Judge in the district notwithstanding Section 2(1)(e) of the A & C Act? An incidental question was whether the power exercised by the State Government under Section 3(3) read with Section 10(3) and 15(2) of the CC Act can override Section 42 of the A & C Act?

The Court concluded that for a domestic arbitration, there was no bar contained in Section 50 of the A & C Act to maintain an appeal under Section 13(1) of the CC Act. In the present case, the petitions which were transferred to the Commercial Court were under Sections Section 9 or Section 14 or Section 34 of the A&C Act, which were covered under Section 15(2) of the CC Act. So the question of applicability of either Section 13(1) of the CC Act or Section 50 of the A&C Act, therefore, did not arise.

The Court further held that “commercial disputes have been identified as a special category for the purposes of the legislation. It is not possible to accept the plea on behalf of the Petitioners that while A&C is a special law, the CC Act is a general law. This cannot be a mere matter of perception of the Petitioners. Here we have two special laws one being the A&C Act which is earlier and the CC Act which is later. Therefore, the principle of ‘generalia specialibus non-derogant’, has no application whatsoever, in the present context.”

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<sup>1</sup>High Court of Orissa, Case statistics of the High Court in 2022 accessed from <https://www.orissahighcourt.nic.in/2022.pdf>



The Court then held that there was no apparent conflict between the A&C Act and the CC Act for being resolved. The objective of both enactments was the speedy resolution of the disputes. As far as the challenge to the vires of Section 10 of the CC Act was concerned, indeed no ground had been made out to show how Section 10 of the CC Act was ultra vires the legislative powers of the Parliament or how it was 'manifestly arbitrary'. The identification of commercial disputes as distinct from ordinary civil disputes was based on an intelligible differentia and subjecting them to a special expedited procedure can neither be considered to be arbitrary nor ultra vires the A&C Act. All these provisions provided rational nexus to the object sought to be achieved by the CC Act i.e. the expeditious resolution of commercial disputes.

This judgment has been upheld by the Supreme Court of India in its judgment dated 19<sup>th</sup> October, 2022 in *Jaycee Housing Private Limited and Ors. v. Registrar (General), Orissa High Court, Cuttack and Ors. (2023) 1 SCC 549*.

## **ii. Sambara Sabar v. State of Odisha**

*Case Number:* WP(C) No. 11860 of 2015

*Coram:* **Dr. S. Muralidhar CJ** and Justice M.S Raman

*Date of decision:* 3<sup>rd</sup> November, 2022

The Petitioner after losing his daughter-in-law and grandchild came before this court inter alia for the appointment of a Maternal Death Review Board (MDRB) comprised of independent members and a direction for payment of compensation by the State under the National Maternity Benefit Scheme (NMBS). The case of the Petitioner was that the death of the baby at birth as well as the mother, in a case of maternal mortality, was due to medical negligence which could have been avoided.

The Court during the course of hearing requested the Odisha State Commission for Women (OSCW) to constitute an enquiry team to examine the documents, record the statements of the Petitioner, his family members and the concerned treating doctors, the place of treatment, the medical case records and make an assessment of the veracity of the claims of either party on the basis of the materials gathered.

Pursuant to above directions, OSCW made an inquiry and submitted its report before the Court. The Court proceeded on the basis of the conclusions reached by the Enquiry Committee that the death of the deceased was due to the collective negligence of the treating doctors both at Primary Health Centre and at the District Health Hospital.

The Court further observed that the victim was a poor tribal woman to whom the State health care system failed to extend the appropriate health benefits. It was unfortunate that the benefits of the multifarious schemes, which were meant to cater the needs of the poor and vulnerable, could not reach in time.

The Court while going through the existing legal regime referred the order passed in *People's Union for Civil Liberties v. Union of India (W.P.(C) No.196 of 2001)* where specific direction was given to the State Government and the Union Territories to implement NMBS, ICDS and AAY,

which were meant for the poorest of the poor and also referred the judgment of Delhi High Court in *Laxmi Mandal v. Harinagar Hospital* (2010 SCC OnLine D elhi 2234). The Court observed that there was an acute failure of the entire team of doctors at each level of the health care system in Odisha to provide timely and adequate care, which resulted in the inevitable death. There was a clear violation of the fundamental right to health of the deceased, which constituted an integral part of the right to life guaranteed under Article 21 of the Constitution of India.

The Court directed the Government of Odisha to pay to the family members Rs.10 lakhs as compensation within a period of six weeks. For the acts of negligence of the doctor, concerned health workers and staff, the Court directed the Government to take appropriate steps. The Court issued a series of directions to the State Government to formulate a Comprehensive Action Plan and Policy within a period of four months, which would contain both preventive and remedial action points, in the short and medium term to address the issue of maternal deaths.

## II. JUSTICE JASWANT SINGH

### i. **M/s P.K. Ores Pvt. Ltd. v Commissioner of Sales Tax and Anr.**

*Case Number:* WP(C) No. 10335 of 2022

*Coram:* **Justice Jaswant Singh**, Justice M.S. Raman

*Date of decision:* 6<sup>th</sup> May, 2022

In this case, the Petitioner had challenged the order passed by the Commissioner of CT & GST, Odisha under Section 80 of the Odisha Goods and Services Tax Act, 2017 (“the OGST Act”) read with Rule 158 of the Odisha Goods and Services Tax Rules, 2017 (“the OGST Rules”), which was directed against the demand of interest for the periods from April, 2019 to December, 2019 raised by the CT&GST Officer, Bhubaneswar-II Circle, Bhubaneswar for belated deposit of admitted tax. It was the contention of the Petitioner that non-payment of admitted tax was attributed to non-disbursal of substantial amount standing due from IDCOL, a Government Agency.

The Respondent clarified that the Petitioner was not in a position to discharge demand of interest as raised by the CT&GST Organisation on account of such belated deposit of admitted tax, owing to which, the petitioner had prayed before the Commissioner of CT & GST, Odisha to allow it to discharge interest demand to the tune of Rs.68,15,506/- by instalments. In this regard, the Petitioner contended that the Commissioner of CT & GST being vested with power under Section 80 of the OGST Act should have allowed its application in Form GST DRC-20 filed in consonance with Rule 158 of the OGST Rules and should have facilitated the petitioner by allowing it to discharge the liability towards the huge burden of interest. The Respondent herein contended that the claim of the Petitioner was contrary to the express language of Section 80 of the OGST Act. The issue raised was whether the Commissioner of CT & GST is justified in rejecting the prayer of the petitioner to deposit the interest levied on account of belated deposit of admitted tax as per self-assessed returns furnished in terms of Section 39 read with Section 59 of the CGST/OGST Act in instalment under Section 80 read with Rule 158? The Court observed that Section 39(7) of OGST Act requires every registered person, who is

required to furnish a return, is to pay to the Government the tax due as per such return not later than the last date on which the return is to be furnished. It further observed that the liability to pay interest under Section 50, being compensatory for non-deposit of tax within the stipulated period envisaged under Section 39, is not penal in nature. Therefore, the petitioner cannot escape the rigours of liability of interest. While relying on the case of *EID Parry (India) Ltd. v. Assistant Commissioner of Commercial Taxes ((2005) 141 STC 12 (SC))*, this Court iterated that “when the levy of interest emanates as a statutory consequence and such liability is a direct consequence of non-payment of tax, such a levy is different from the levy of interest which is dependent on the discretion of the assessing officer. The default arising out of non-payment of tax on an admitted liability in the case of self-assessment attracts automatic levy of interest, whereas the default in filing incomplete and incorrect return attracts best judgment assessment in which the levy of interest is based on the adjudication by the assessing officer.”

With this observation, this Court held that the Commissioner of CT & GST is justified in rejecting the prayer of the petitioner to deposit the interest levied on account of belated deposit of admitted tax as per self-assessed returns furnished in terms of Section 39 read with Section 59 of the CGST/OGST Act in instalment under Section 80 read with Rule 158.

**ii. M/s. Nagen Caterer v. Central Board of Indirect Taxes & Customs and others**

*Case Number:* WP(C) No. 21073 of 2021

*Coram:* **Justice Jaswant Singh**, Justice M.S. Raman

*Date of decision:* 15<sup>th</sup> March, 2022

In this case, the Petitioner had challenged the Demand-cum-Show Cause Notice issued by the Additional Commissioner GST & Central Excise, Bhubaneswar Commissionerate (“Adjudicating Authority”) under Sections 73, 75, 76 and 78 of the Finance Act, 1994 pertaining to the periods 2015-16 and 2016-17 while contending that the same is barred by limitation. The petitioner claimed to be a partnership firm which provided outdoor catering services and got registered under the Finance Act, 1994. The Adjudicating Authority had contended that the Petitioner having received considerable amount from different service recipients has made neither full disclosure of the amount in the returns in Form ST-3 nor had it filed the returns in Form ST-3 for certain period, thereby, it had evaded payment of service tax. Therefore, the Adjudicating Authority proposed to proceed with determination of tax, interest and penalty for the periods 2015-16 and 2016-17.

The Petitioner contended that the Adjudicating Authority had no jurisdiction to issue the Demand-cum-Show Cause Notice as Section 73(1) of the Finance Act, 1994 envisages action for non-payment of service tax or short payment of service tax by the authorities within eighteen months from the relevant date, and since the case does not fall within the ingredients mentioned under proviso thereto, the extended period of limitation does not get attracted in the present context. The Adjudicating Authority contended that it had issued the said impugned notice invoking proviso to sub-section (1) of Section 73 of the Finance Act, 1994. Moreover, by virtue of amendment vide Finance Act, 2012, the normal period of “eighteen months” has been substituted by “thirty months”.



This Court observed that Section 73 (1) provides that the competent authority may within thirty months from the relevant date serve a notice on the assessee where service tax has not been levied or paid or short levied or short paid or is erroneously refunded. This Court relied on the case of *Union of India v. Coastal Container Transporters Association ((2019) 20 SCC 446)*, wherein the Supreme Court has held that it is not proper to entertain writ petitions at the stage when alternative remedy under statute is available.

This Court observed that even though point of limitation is raised as a matter of jurisdictional fact, the same being mixed question of fact and law, the Petitioner had ample opportunity to agitate such an issue before the Adjudicating Authority and that entertaining the writ petition at the stage of notice would be premature. Therefore, the Court dismissed the writ petition and allowed the Petitioner a further period of four weeks from availability of the instant order to file reply/objection to the Show Cause Notice dated 22.04.2021.

### III. JUSTICE C.R. DASH

#### i. Tankadhar Gahir v. State of Orissa

Case Number: JCRLA No. 12 of 2019

Coram: **Justice C.R. Dash**, Justice M.S. Sahoo

Date of decision: 9<sup>th</sup> May, 2022

In this case, the Appellant had challenged his conviction under Section 302 of IPC whereby he was sentenced to undergo life imprisonment and pay fine of Rs.5,000/-. The Appellant was alleged to have assaulted his wife with a stone Chakki (a country grinder made of granite stone to grind pulses). The Appellant had taken the plea of complete denial and false implication. He had further stated that the deceased was not well and she lost her balance and fell on the Chakki.

The Court observed that there was no eye witness to the occurrence and that the case of the prosecution was based entirely on circumstantial evidence. The Trial Court had convicted the Appellant on the basis of the single circumstance of “last seen together” theory owing to the fact that the informant, his wife and the son of the deceased had left the Appellant and his wife together in the house, as they went out.

The Amicus Curiae submitted that Trial Court had not appreciated the evidence of the Medical Officer as well as other witnesses on record and on the basis of the circumstance of “last seen together”, the conviction of the Appellant under Section 302 of IPC should not have been based. The Medical Officer had testified that the cause of death was shock due to brain haemorrhage. All injuries were ante mortem in nature and it was a case of homicide. In cross-examination, he had clarified that if a person falls from very high altitude on a rocky surface such injuries can be possible.

The Court observed that when the post occurrence witnesses reached the place of incident, they found the Appellant grieving keeping the dead body of the deceased on his lap. Moreover, there were no marks of external injuries right below the right thigh of the deceased which was fractured as stated post-mortem report. Such a fracture might have been caused owing to

the awkward fall by the deceased, as she was suffering from fever. The Court iterated that the prosecution had failed to discharge its burden of proving the case against the Appellant beyond reasonable doubt and allowed the appeal of the Appellant.

**ii. Satya Prakash Dixit and Anr. v. State of Orissa**

Case Number: CRLA No.187 of 2021

Coram: **Justice C.R. Dash**, Justice M.S. Sahoo

Date of decision: 27<sup>th</sup> April, 2022

In this case, the Appellants have challenged their conviction under Section 304/34 of IPC and sentencing of rigorous imprisonment for life and fine of Rs.20,000/-. Appellant no.1, Satya Prakash Dixit is the son of Appellant No.2, Ganesh Chandra Dixit. The informant (father of the deceased) had alleged that his daughter (also wife of Appellant no.1) was killed by the Appellant no.1. He had further alleged that the Appellants were mentally torturing the deceased. Moreover, the Appellant no.1 had threatened to murder Rupali, if Rs.5,00,000/- was not provided to him. On 24<sup>th</sup> August, 2016, the informant received information that his daughter has committed suicide in her in-laws house. The informant along with his family members rushed to the house of the Appellants and saw the dead body of the deceased lying on the floor of her room and there was a saree knotted around her neck. It was alleged that owing to demand of dowry, the Appellants have killed the deceased and they have tried to showcase it as a case of suicide.

The Trial Court convicted the Appellants on the basis of the following observations: (i) Homicidal death of the deceased within the privacy of her matrimonial home. (ii) Discovery of a bamboo stick at the instance of Appellant no.1 on the basis of his statement before the police recorded under Section 27 of the Evidence Act. (iv) Silence of the Appellants regarding cause of the alleged suicide or alleged death of the deceased when there was no marital discord and she (deceased) was to take care of a 3 years old son. (v) Falsity of the defence plea of alibi.

The Medical Officer had come to the conclusion that the cause of death of the deceased was owing to asphyxia as a result of ligature strangulation. While relying on the decision of *Mohd. Zahid vs. State of Tamil Nadu (AIR 1999 SC 2416)*, the Court observed that sufficient weightage should be given to the evidence of the doctor who has conducted the post-mortem. This Court observed that the circumstances established by the prosecution has not been proved except the fact that the deceased died a homicidal death in the privacy of her matrimonial home. Therefore, the appeal was allowed.

**IV. JUSTICE SUBHASIS TALAPATRA**

**i. Arun Kumar Sahu v. Smt. Madhumita Puthal**

Case Number: MATA No.28 of 2020

Coram: **Justice S. Talapatra**, Justice B. P. Routray

Date of Decision: 29<sup>th</sup> June, 2022

In this case, the Appellant had challenged the judgement of the Judge, Family Court, Baripada wherein he had been directed to pay Rs.4,00,000/- as permanent alimony. The Appellant and

the Respondent had filed a petition under section 13(B) of the Hindu Marriage Act, 1955 for dissolution of their marriage, after they had lived two years separately. During that period, it had been asserted by the parties that there had been no cohabitation. The Appellant contended that the Respondent had expressly waived any claim of alimony, any other claim from him. He further contended that the Court on due consideration found the clauses of the settlement in order and not unlawful. The Respondent while referring to Section 25 (1) of the Hindu Marriage Act, contended that it is the duty of the Judge, who is passing decree of divorce under the provisions of Hindu Marriage Act, 1955 to pass the appropriate direction for alimony or maintenance.

This Court while relying on *Ganesh v. Sunil Kumar Srivastava and Anr. (2020) 20 SCC 787*, observed that either of the parties, the wife or the husband, may give up any claim so far as the maintenance or permanent alimony is concerned. It was further observed that, the Court while adjudicating the petition U/S. 13 (B) of the Hindu Marriage Act is permitted to examine whether the consent terms is hit by Section 23 of the Indian Contract Act, 1872, in as much as the considerations and objects in the said consent terms have to be lawful.

Consequently, the Court iterated that as it has been postulated in Section 23 of the Indian Contract Act that the considerations and objects are lawful, unless it is forbidden by law or is of such a nature that, if it is permitted to operate, it would defeat the provisions of any law. Therefore, any clause of the consent terms in a proceeding under Section 13(B) of the Hindu Marriage Act is subject to the test of Section 23 of the Indian Contract Act. If it is observed that for the said waiver clause, the respondent has been completely debarred from approaching the court seeking alimony or maintenance, it would defeat the provisions of law as provided by Section 25(1) of the Hindu Marriage Act and that would, in that event, stand contrary to the public policy against vagrancy or destitution. Thus, the appeal was allowed.

**ii. Poreddy Raj Rao v. State of Orissa and Ors.**

Case Number: W.P.(C) No.18046 of 2014 and batch

Coram: **Justice S. Talapatra**, Justice Dr. B.R. Sarangi, Justice D. Dash

Date of decision: 16<sup>th</sup> November, 2022

Chief Justice had referred this matter to this Bench for adjudicating on the following issues: Whether the judgment of the Hon'ble Supreme Court in the case of *Deepak Kumar etc. v. State of Haryana and Others etc. in I.A. Nos.12-13 of 2011* arising out of Special Leave Petition (Civil) No.19628-19629 of 2009 lays down any restriction for transport of sand to a place outside the State? And whether Rule-73 (1)(b) of any other Rule of the Orissa Minor Minerals Concession Rules, 2004 imposes such restriction restricting transport of sand from Orissa to any other State?

Regarding the second issue, this Court clarified that the Orissa Minor Minerals Concession Rules, 2004 as referred above has been suppressed by the Odisha Minor Minerals Concession Rules, 2016. Therefore, any interpretation in respect of Rule-73(1)(b) of the Orissa Minor Minerals



Concession Rules, 2004 would serve no purpose, as the said provision has been repealed without saving any part of it.

The Court observed that in *Deepak Kumar and others v. State of Haryana & others* (2012) 4 SCC 629, the Supreme Court directed the State Governments and Union Territories to take immediate steps to frame necessary Rules under Section 15 of the Mines and Minerals (Development and Regulation) Act, 1957 on the line of the recommendation of the MOEF, as reflected in their aforesaid report of March, 2010 and the model guidelines framed by the Ministry of Mines, Government of India into consideration. Further it was observed from the judgement of the Gujarat High Court that no power flows from the provisions of Section-23(c) to make the Rules for regulating transportation of the legally excavated minerals. Thus, this Court observed in finality that the restriction on transportation of sand will be regulated by the Odisha Sand Policy, 2021.

## **V. JUSTICE DR. B.R. SARANGI**

### **i. Purna Chandra Mohapatra v. State of Orissa and Anr.**

Case Number: W.P.(C) No. 11445 of 2011

Coram: **Dr. Justice B.R Sarangi** and Justice Savitri Ratho

Date of decision: 22<sup>nd</sup> March, 2022

In this case, the Petitioner had challenged the legality and propriety of the order dated 11.08.2010 passed by the Orissa Administrative Tribunal, Bhubaneswar wherein the Petitioner's prayer towards seeking stepping up of his pay at par with his junior, was dismissed. The Petitioner's junior- Shri Mohanty was subordinate to the Petitioner both in OAS Class-II and OAS Class-I (Jr) cadres, but was getting higher scale of pay than the Petitioner.

The Petitioner argued that various similarly situated persons were granted stepping up of their pay since their juniors were getting more pay than them. Therefore, he is also entitled for the same as his case involves similar circumstances. On the other hand, the Opposite Party contended that the petitioner was not entitled to get the relief sought by him as the petitioner's pay was lesser than that of Shri Mohanty before they were taken into the OAS cadre.

This Court observed that there was discrimination with regard to extension of similar benefits to the petitioner and it violated Article 14 as the opposite parties had allowed a number of OAS officers to step up pay at par with their juniors, who were drawing higher pay in lower post/cadre. The Court remarked that the Petitioner's case was identical to other similarly situated persons and therefore, the order of the Orissa Administrative Tribunal, Principal Bench, Bhubaneswar was liable to be quashed. Accordingly, the writ petition was allowed.

### **ii. M/s Lallooji & Sons and Anr. v. State of Odisha and Ors.**

Case Number: W.P.(C) NO. 11524 OF 2022

Coram: **Dr. Justice B.R Sarangi**, Justice S.K Mishra

Date of decision: 13<sup>th</sup> July 2022

In this case, the Petitioners had challenged the show-cause notice dated 5<sup>th</sup> January, 2022, blacklisting/declaring the Petitioner's firm as ineligible from participating in procurement process by Department of Tourism, Government of Odisha, and consequential order dated 28<sup>th</sup> April, 2022 whereby the Petitioner's firm was blacklisted for a period of two years on the ground that the same is violative of terms of Requests for Proposal (RFP) dated 31<sup>st</sup> March, 2021 and 21<sup>st</sup> September, 2021.

The Petitioners argued that the Petitioner-Firm had not even fully participated in the tender process, let alone being awarded the contract. Thereby, the entire action of blacklisting the Petitioner-Firm, vide order dated 28<sup>th</sup> April, 2022, cannot be sustained and the same is liable to be quashed. As such, Opposite Party No.1 has entirely failed to distinguish the scope and effect of an order of ineligibility and that of blacklisting.

On the other hand, the Opposite Party contended that as per the terms and conditions of the RFPs, where any information provided by a Bidder is found to be patently false or amounting to a material misrepresentation, Department of Tourism reserves the right to reject the proposal. As such, the Petitioner-Firm had not furnished the information, as required under Sub-Clause-(f) Part-A (Technical Proposal) of Clause-22 of the RFPs, and therefore, notice of Show Cause was issued for blacklisting.

This Court observed that the Petitioner-Firm had been doubly jeopardized, which was violative of Article 20 of the Constitution of India. The Court held that on one hand, the Petitioner-Firm was found ineligible for which it approached this Court, and on the other hand, when litigation was pending, the order of blacklisting was passed. Therefore, the order of blacklisting dated 28<sup>th</sup> April, 2022 was not sustainable in the eye of law and the same was liable to be quashed. Accordingly, the writ petition was allowed.

## **VI. JUSTICE ARINDAM SINHA**

### **i. Asit Kumar Nayak v. State of Odisha and Ors.**

*Case Number:* WP(C) No.11807 of 2012

*Date of decision:* 18<sup>th</sup> November, 2022

In this case, the Petitioner had challenged final order of the State Level Scrutiny Committee, passed in fake caste certificate case (FCC no.21 of 2011). He submitted that the Investigating Officer (IO) did not afford his client opportunity in the purported investigation conducted. The Petitioner claimed that he belonged to scheduled tribe 'Gondo' while the Committee contended that the caste certificate was tampered with. The Petitioner had earlier moved to the Division Bench of this Court by WP(C) No.2003 of 2012, which was disposed of on order dated 8<sup>th</sup> February, 2012. There was direction for his client to have fair and reasonable opportunity of hearing and allow him to furnish the documents, if any. The Court had perused report of the IO, made before aforesaid direction of the Division Bench, to allow, inter alia, fair opportunity to petitioner. It appeared from the report that admission record of elder brother of petitioner, admitted to the school on 16<sup>th</sup> July, 1970, was verified by the IO and on requisition made, the

Head Master had opined that the caste of petitioner's said brother was 'Guna' in general category. the committee itself called for the original register and on perusal thereof found the tampering in the caste certificate.

It was observed by the Court that the photocopy was, therefore, accepted to be a true copy of the original. The committee felt necessity for looking at the original. It was not said in impugned final order, to have been shown to petitioner. This Court observed that Section 7(1) in Odisha Scheduled Castes, Scheduled Tribes and Backward Classes (Regulation of Issuance and Verification of Caste Certificates) Act, 2011 says, when it comes to notice that a person not belonging to any of the reserved category has obtained a false caste certificate, the committee may suo motu or otherwise, call for the record and enquire into the correctness of such certificate. There was no mention in impugned final report that this document was initially also produced by petitioner and erroneously relied upon, for issuance of the certificate. Where the law requires inquiry, to establish that a caste certificate obtained is fake, there should not have been pronouncement by the committee, without inquiry, that a document made in year 1944 and not part of the record, had been tampered with, to say it cannot be relied upon and disregard it.

Moreover, the Court observed that the father of petitioner had asserted his identity as belonging to scheduled tribe 'Gondo', in having had got the land so recorded. Position taken regarding father of petitioner, in year 1944 on him getting admission and thereafter by himself in recording his caste 'Gondo' in the RoR khata, is consistent. Thus, this petition was allowed.

**ii. Marwari Society v. State of Odisha and Ors.**

*Case Number:* WP(C) No.11244 of 2016

*Coram:* **Justice Arindam Sinha**, Justice Sanjay Kumar Mishra

*Date of Judgment:* 16<sup>th</sup> December, 2022

In this case, the writ petition challenged the legality of a show-cause notice dated 28.03.2016 wherein the Government called upon the Petitioner to show cause as to why the said lease should not be determined under clause-4(i) of the lease deed and why the land should not be resumed and possession taken over by the Government. The long lease by deed dated 24<sup>th</sup> March, 2000 on premium of Rs.23,54,913/- for initial period of 90 years was executed in favour of Petitioner to build a house or houses and use the same for its office building and charitable dispensary only. However, it was alleged that the Petitioner was using the same for religious purposes like "Phoolon ki Holi" and "Sacred Thread Ceremony".

The Petitioner vehemently argued that the lease was by a registered deed and Section 111 in Transfer of Property Act, 1882 provides for determination of lease by forfeiture. Further, there is nothing to show from the show-cause or impugned determination notice dated 23<sup>rd</sup> April, 2016 that any express condition providing right of re-entry to the lessor, was broken.

On the other hand, the Opposite Party contended that purpose of the lease was for constructing and using the building as office and charitable dispensary only. The Petitioner was issued show-



cause notice after it was observed that the premises was being used for other purposes than what was specified. Since, the causes shown in the reply were not found satisfactory, the impugned determination notice was duly issued.

This Court held that the grant of lease was partly also with regard to ethnicity of the members. The deed was titled as, 'Lease of Land to Religious, Educational and Other Institutions' and hence, there is no way the State can say that celebrating a religious function in the premises on a day can amount to use by the lessee of the said land for any other purpose. The Court placed reliance on *Maniruddin v. Chairman of Dacca (40 Calcutta Weekly Notes (CWN) 17)* and observed that a natural person has the capacity to do all lawful things unless his capacity has been curtailed by some rule of law. Accordingly, the petition was allowed.

## **VII. JUSTICE BISWANATH RATH**

### **i. Asutosh Amrit Patnaik v. State of Orissa & Ors.**

*Case Number:* WP(C) No. 4834 of 2022

*Date of decision:* 23<sup>rd</sup> March 2022

In this case, the Petitioner had challenged the communication order by the Opposite Party No.2, Regional Passport Officer, Bhubaneswar wherein the request of the Petitioner on the issue of renewal of passport was declined due to pendency of at least two criminal cases against him. The Petitioner was working in a firm in the UAE on the basis of visa granted by the competent authority. Since, the visa was set to expire on 17<sup>th</sup> May 2022, the Petitioner had made an application for renewal of the passport to get Visa continuity in order to continue his service in the overseas oilfields. It was contended by the Petitioner that that mere pendency of criminal proceedings initiated at the instance of his wife should not have been a ground to decline the renewal application.

On the other hand, the Opposite Party contended that the Petitioner's attempt is to leave the country and due to the pendency of criminal proceedings against him, it is difficult to grant the renewal of passport as the Petitioner might not be available with the competent authority in the event the criminal proceedings result in conviction.

This Court held that while considering the Petitioner's request for renewal of passport, there was no right appreciation of the matter. The Court observed that the Section 6 (2) (f) of the Passports Act, 1967 read together with the GSR 570 (E) dated 25<sup>th</sup> August, 1993 would come to the rescue of the petitioner as there was mechanical disposal of application.

### **ii. Rajesh Kumar Agarwal & Ors. v. Regional Director (E), Ministry of Corporate Affairs, Kolkata & Ors.**

*Case Number:* W.P.(C) No.9502 of 2022 and batch

*Date of Judgement:* 25<sup>th</sup> July, 2022

In this case, the Petitioners had challenged the issuing of Look Out Circular (LOC) that restricted the overseas travel of the Company Directors and key managerial personnel. The Petitioners

vide letter dated 2<sup>nd</sup> March, 2022 had requested the Opposite Party No.1 (Regional Director (E), Ministry of Corporate Affairs, Kolkata) to allow them to participate in a business of export dealing that was supposed to take place in the USA between 26<sup>th</sup> - 28<sup>th</sup> of April, 2022.

The Petitioners had argued that the process of investigation had not yet incriminated the Company for any non-compoundable offence under any provision of law. The Petitioners were cooperating on the issue and in the meantime, almost one and half years had passed. The Petitioners, being unable to participate in the International Trade Fairs to attract their business had suffered huge losses.

On the other hand, the Opposite Party contended that the complaint against the Petitioners was received through one Whistle Blower in the Ministry of Corporate Affairs wherein it was alleged that the Petitioners are the key members of the M/s. Utkal Galvanizers Ltd. and planning to settle down outside India after taking a loan of Rs.600-700 Crores from various Banks. Therefore, they are potential flight risks.

This Court observed that even though there exists allegation as regards the Petitioners fleeing away after taking 600-700 crores from different banks; even after a preliminary counter affidavit and an additional affidavit by the Department, there was no specific allegation on actual loan availed by the Petitioners and their Company and any default therein. The Court remarked that since there was no declaration of NPA involving any account of the Petitioners by any bank, the allegations appeared to be speculative and imaginary and purely, on that basis, liberty cannot be taken away from the Petitioners. Accordingly, the writ petition was allowed.

## VIII. JUSTICE S.K. SAHOO

### i. Sudarsan Sahani v. State of Odisha (Vig.)

Case Number: CRLA No. 695 of 2016 and batch

Date of decision: 18<sup>th</sup> April, 2022

The Appellants and the Respondent no.4 (Abakash Padhy/co-accused) faced trial in the Court of Special Judge (Vigilance), Phulbani for the offences punishable under section 13(2) read with section 13(1)(d) of the Prevention of Corruption Act, 1988 ('1988 Act') along with offences punishable under sections 420, 468, 201 and section 120-B of the Indian Penal Code on the accusation of misappropriating government money to the tune of Rs.1,50,000/- in connivance with each other by corrupt or illegal means or by otherwise abusing their position showing false execution of pothole repair work, committing forgery of certain documents/records such as, pothole repair estimate and causing disappearance of evidence.

The Trial Court vide impugned judgment and acquitted the Respondent no.4 of all the charges however, found the Appellants guilty of the offence under Section 13(2) read with section 13(1)(d) of 1988 Act and sentenced each of the appellants to undergo rigorous imprisonment for two years each. The Appellants challenged the impugned judgment and order passed by the Trial Court whereas the State of Odisha filed the GCRLA No. 25 of 2019 challenging the order of acquittal of the appellants of the charges under sections 420, 468, 201 and 120-B of the Indian

Penal Code so also of the Respondent no.4 of all the charges.

The Trial Court had held that the prosecution has successfully established the charge under section 13(2) read with section 13(1)(d) of the 1988 Act against the Appellants. The Trial Court further held that on careful scrutiny of the materials on record, there appears nothing to the fact that the appellants conspired with the Respondent no.4 to grab the government funds allotted for construction of potholes and therefore, the prosecution has failed to bring home the charge under section 120-B of the Indian Penal Code against the accused persons.

The first and core point for determination was whether the 1st agreement executed with the contractor Arun Kumar Choudhury was in force when the 2nd agreement was executed with the Respondent no.4. The second point for determination was whether there was at all any necessity for entering into the 2nd agreement for execution of pothole repair work and whether the respondent no.4 executed any work at all or false bill was claimed. The third point for determination was whether there was any criminal conspiracy between the accused persons and undue official favour was shown to the Respondent no.4 for making payment of Rs.1,50,000/- to him by showing false execution of pothole repair work. The fourth point for determination was whether there was any forgery in respect of documents/records like pothole repair estimate of Rs.4,91,800/-, agreement entered into with the Respondent no.4.

With respect to first point, this Court observed that from the relevant provision of Para 3.5.30 of O.P.W.D. Code, Vol.I and clause 4 of the conditions of contract (Ext.10), it was clear there was no application for extension of time submitted by the 1<sup>st</sup> contractor either prior to 31<sup>st</sup> August, 2004 or after that, it is to be held that the contract as per 1st agreement executed with the contractor Arun Kumar Choudhury was not in force when the 2<sup>nd</sup> agreement was executed on 10<sup>th</sup> September, 2004 vide Ext.21 with the respondent no.4 for potholes repair works.

With respect to the second point, the Court observed that after execution of the agreement under Ext.21, the Respondent no.4 executed the pothole repair work and submitted the first running bill which was passed for Rs.1,50,000/- and it cannot be said that he raised any false bill merely because the pothole repaired work was done manually even though he could have utilized machine as per specification in the tender but since it was the running bill, it cannot be said that no pothole work had been done by the respondent no.4 and that he was a dummy contractor only on paper and that it was a sham work and that the accused persons prepared false bills and vouchers to misappropriate the Government money.

With respect to the third point, the Court observed that there was no material also on record that there was any inflated cost or any loss to the Government and specifically in view of the evidence that the part bill paid to Respondent no.4 was calculated on the basis of repair through machine though the work was actually executed manually. Therefore, the Trial Court had rightly held that the prosecution had failed to bring home the charge under section 120-B of the IPC against the accused persons.

With respect to the fourth point, the Court observed that the prosecution had not adduced any satisfactory evidence that any of the documents like agreement entered into with the



Respondent no.4 or M.B. No.1311 or the pothole repair estimate are false documents and that the accused persons prepared such documents for the purpose of cheating. Consequently, the Court allowed the appeal of the Appellants and upheld the acquittal of Respondent no.4.

**ii. Rajeev Ranjan v. Republic of India**

*Case Number:* CRLA No. 327 of 2016

*Date of decision:* 9<sup>th</sup> November, 2022

In this case, the Appellant challenged the order of sentence and judgement of conviction passed by the Learned Special Judge (C.B.I.), wherein he was convicted for offences punishable under Section 7 and Section 13(2) read with Section 13(1)(d) of the Prevention of Corruption Act, 1988. The Appellant while working as Tax Assistant at the Income Tax Office, Ayakar Bhawan, Rourkela was accused of having demanded Rs.8,000/- from the complainant Manoranjan Mishra in the office for processing the refund claim of the income tax assessee Smt. Sudaramani Singh for the year 2010-11 and accepted the said amount of Rs.8,000/- on 12<sup>th</sup> March 2012 as gratification other than legal remuneration.

The Appellant contended that that prior to the alleged occurrence, one Bibek Dasgupta ("B.D. Gupta") had taken Rs.10,000/- as loan from him and as the said loan amount was not repaid to him, there was misunderstanding and ill-feeling between him and B.D. Gupta. P.W.11 (Complainant) was a land broker and he was set up by B.D. Gupta to handover the tainted money stating that the same had been sent by B.D. Gupta towards part repayment of the loan amount.

On the other hand, the Respondents submitted that the evidence on record not only proved the demand of bribe money but also the acceptance of bribe money. Moreover, the non-examination of B.D. Gupta by the prosecution, does not in any way affect its case as he was not a material witness for the prosecution.

This Court observed that since the complainant had given prevaricating and inconsistent statements at different stages, it was difficult to accept him as a truthful and reliable witness. The Court placed reliance on *Suraj Mal v. The State (AIR 1979 SC 1498)*, and held that where witnesses make two inconsistent statements in their evidence either at one stage or at two stages, the testimony of such witnesses becomes unreliable and unworthy of credence and in the absence of special circumstances, no conviction can be based on the evidence of such witnesses. The Court remarked "Since the prosecution relies only upon the version of P.W.11 regarding the demand aspect of Rs.8,000/- prior to the date of trap, it cannot be said that the same has been proved beyond all reasonable doubt." It was further held that no work was pending with the appellant to raise the demand for bribe as a Tax Assistant had no role in the refund of income tax to the assessee except processing the same to the I.T.O. Accordingly, the criminal appeal was allowed and impugned judgment and order of conviction of the appellant under section 7 and section 13(2) read with section 13(1)(d) of the 1988 Act was set aside.

## IX. JUSTICE B.P. ROUTRAY

### i. **Kartik Nag v. State of Odisha**

*Case Number:* CRLMC No.37 of 2022

*Date of decision:* 20<sup>th</sup> April 2022

The Petitioner was accused of commission of offence under Section 20(b)(ii)(C) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (NDPS Act) and had prayed for release on bail in terms of Section 36-A(4) of the NDPS Act read with Section 167(2) of the Cr.P.C. The Petitioner was arrested on the charges of transporting and possessing 73Kg 800gms of contraband.

The investigation continued and 180 days completed on 3<sup>rd</sup> January, 2021. On 4<sup>th</sup> January 2021, a petition was filed by prosecution praying for extension of a further period of 180 days for completion of investigation and submission of chargesheet. On the same day, Sessions Judge-cum-Special Judge, Malkangiri granted extension of 60 days to the prosecution for completion of investigation without giving any opportunity of hearing to the Petitioner. Again on 1<sup>st</sup> March 2021, the prosecution filed another petition praying for further extension of 60 days to file chargesheet. The defence counsel objected to such prayer. However, the Special Judge granted further extension of 15 days to the prosecution to file the chargesheet. On 15.03.2021, chargesheet was filed by the prosecution against the Petitioner.

The Petitioner contended that contends before this Court that remanding him in custody on 4<sup>th</sup> January 2021 & again on 1<sup>st</sup> March 2021 was against the principles of law enumerated in Section 167(2) of the Cr.P.C.

This Court while relying on the case of *Lambodar Bag v. State of Orissa* ((2018) 71 OCR 31), held that in the present case, the indefeasible right of the Petitioner for his release on default bail had been violated. Therefore, the petition of the Petitioner was allowed.

### ii. **Smt. Karnam Annapurna and Ors. v. Collector, Gajapati and Anr.**

*Case Number:* RSA No.312 of 2015

*Date of decision:* 10<sup>th</sup> October, 2022

In this case, the Appellants have challenged the order of the Civil Judge (Sr. Divn.), Parlakhemundi. The Appellant has contended that he was the right, title owner of the lands in Sabik Patta No.407, Survey No.333/8 measuring Ac.0.25 decimals under Kasinagar Khaspa (mouza) and he had gifted Ac.0.03½ decimals of land out of the same in favour of the Forest Department for construction of staff quarters by executing Registered Gift Deed No.161 dated 14.2.1963. Thereafter Public Works Department acquired Ac.0.10 decimals out of the same plot for construction of the road upon payment of compensation. But the Forest Department illegally occupied the entire remaining lands beyond the extent of Ac.0.03½ decimals (three and half decimals) gifted to them and constructed another quarters over the same.

The Respondents-State authorities contended that Forest Department have got their right over the entire suit property including those three and half decimals by way of adverse possession and in the last major settlement operation, the entire patch of suit land has been recorded in

favour of Forest Department in Plot No.8304, Khata No.486 of mouza-Kasinagar measuring area Ac.0.115 decimals. They further stated that the land beyond three and half decimals is under possession of Forest Department since 1963, i.e. the date of execution of the Gift Deed in respect of three and half decimals. They have constructed quarters over the same and a well is also situating over the suit land. Their possession over the suit land is continuous, intentional and peaceful and within the full knowledge of the Plaintiff.

This Court observed that the Supreme Court in the case of *State of Haryana v. Mukesh Kumar and others* ((2011) 10 SCC 404) while explaining the doctrine of adverse possession has held that no Government Department should be permitted to perfect their title by way of adverse possession. It was further observed that the unauthorized occupation of the suit land by the State Forest Department since 1963 was admitted. At the same time, the true ownership of Appellant and his title over the suit land was not disputed. Therefore the appeal was allowed and the Respondents were directed to pay compensation to the Appellants, equivalent to the amount twice the present bench mark value of the suit schedule 'A' land after deducting three and half decimals there-from as gifted in favour of the Forest Department.

## **X. JUSTICE DR. S.K. PANIGRAHI**

### **i. Lalatendu Mishra & Ors v. State of Odisha and Ors.**

*Case Number:* W.P.(C) Nos. 12636 and batch

*Date of Judgement:* 21<sup>st</sup> July, 2022

In this case, a batch of writ petitions challenged the advertisement dated 23<sup>rd</sup> December, 2021 issued by the Directorate of Secondary Education, Odisha on the grounds that it did not conform to the provisions of the Odisha Reservation of Vacancies in Posts and Services (For Scheduled Castes and Scheduled Tribes) Act, 1975 ("the ORV Act") and the law laid down by the Supreme Court of India. It was further alleged that the advertisement for recruitment of Initial Appointee Teachers in Government Secondary Schools of Odisha on contractual basis is arbitrary as it does not prescribe a minimum pass mark for the Computer Based Test.

The Petitioners argued that it is illegal for the State Government to reserve its right to decide the cut-off mark of the Computer Based Test for shortlisting at a later stage. They also challenged the impugned advertisement on the ground that it violated the provisions of the ORV Act and the law laid down by the Hon'ble Supreme Court in *Indra Sawhney v. Union of India* as the reservations exceed the ceiling limit of 50% of the vacancies that are advertised for.

On the other hand, the Opposite Party stated that the increased number of vacancies in reserved categories is attributable to low participation of candidates belonging to the social categories in the previous years of selection which have led to more vacancies for the particular social category. Moreover, the Petitioners are estopped from challenging the advertisement and method of selection at the final stage of the selection process in view of the decision of the Apex Court in *Dhananjay Malik v. State of Uttaranchal* ((2008) 4 SCC 171), *Ranjan Kumar v. State of Bihar* ((2014) 16 SCC 187), and *Anupal Singh v. State of U.P* ((2020) 2 SCC 1731).



This Court observed that the impugned advertisement was a fresh recruitment drive aimed to fill up vacancies arising in posts in the current year as well as unfilled vacancies carried forward in various social categories from previous years. Therefore, the State had not committed any illegality, nor is it contrary to the statutory provisions, the constitution and the present position of law. Further, the Court while iterating “reservations have to be calculated in a post-based manner and not vacancy based”, observed that if the ORV Act is made inapplicable, then six years later when these initial appointees would be regularized, the absence of any provision for reservation would result in lack of representation from various social categories. The court after perusing the submissions of the parties held that the persons who participated in the selection process after having accepted the terms and conditions of the selection, cannot challenge the said process subsequently. In light of the above, the Court found the writ petitions to be devoid of any merits and accordingly disposed of the same.

**ii. New India Assurance Co. Ltd. v. Orissa State Warehousing Corporation**

*Case Number:* ARBA No. 24 of 2019

*Date of Judgment:* 22<sup>nd</sup> December, 2022

In this case, the Appellant challenged the judgment dated 5<sup>th</sup> July, 2019 passed by the learned District Judge, Cuttack in ARBP No.05 of 2018 confirming the award dated 15<sup>th</sup> December, 2017 passed by the Arbitrator in Arbitration Proceeding No.55 of 2016. The matter pertaining to this case was that a claim intimation was lodged by Respondent No.1 for the alleged loss of Rs.23,51,560/- for misappropriation of stock by one employee namely M.R.K. Rao. A special audit ascertained that there was a loss of Rs.23,18,000/- marking a shortage of rice and Rs.33,250/- towards the value of empty gunny bags. Since the parties entered into disagreement over the reports of various Chartered Accountant-cum-Surveyor, this Court vide order dated 27<sup>th</sup> October, 2016 appointed the sole Arbitrator to adjudicate the dispute between the parties. The learned Arbitrator, after appreciating the oral and documentary evidence, awarded a sum of Rs.63,31,099/- inclusive of interest besides future interest @ 6% per annum, to be paid by the Appellant.

The Appellant contended that the learned Arbitrator was professionally associated with the entity which was a party to the arbitration proceeding and therefore, the arbitral award was liable to be set aside. It was further submitted that since the Respondent No.1 initiated the Arbitration proceeding after three years, and the alleged defalcation happened in the year 1998-1999, the claim is barred by limitation and ergo, not arbitrable.

On the other hand, the Respondent No.1 submitted that the Arbitrator passed a reasoned arbitral award after due appreciation of evidence and the awarded amount is as per the terms of the policy and the investigation made in determining the loss. Moreover, the question of limitation was raised by the Appellant before this Court in the petition for appointment of the Arbitrator, and those points were considered by this Court in ARBP No.16 of 2012. While appointing the learned Arbitrator, this Court held that, as per Clause 15 of the agreement, the claim is within the period of limitation and also held that since the matter involves the question

of quantum of compensation only and liability has been admitted, it comes within the purview of the arbitration clause as per terms of policy.

This Court upheld the finding of the District Court and observed that District Judge, Cuttack has not committed any error in rejecting the challenge to the award, filed under Section 34 of the Arbitration and Conciliation Act, 1996. It was held that as per the Contract (policy), the petitioner was to indemnify the Respondent No.1 against direct pecuniary loss. The Court opined that the term “direct pecuniary loss” in a literal sense cannot be construed to be confined to only the cost of the shortage of goods or the goods involved in the fraud/misappropriation and not the other pecuniary loss incurred in connection with the same incident of infidelity or criminality. In a detailed analysis, the Court further remarked- “As it appears, the penalty was directly linked with the incident of defalcation and, hence, the amount paid on that count cannot be excluded from the “direct pecuniary loss” sustained by the Respondent No.1. Hence, in awarding the amount towards penalty, the learned Arbitrator cannot be said to have travelled beyond the contract or to have committed any illegality.” It was further observed that the breaking-point of the present commercial relationship was when the Appellant company declared the claim of the Respondent No.1 as “no-claim” thus giving rise to the “cause of action” in this transaction and hence, the claim is well within three years i.e. within the period of limitation. The Court concluded that the Arbitrator had acted well within his jurisdiction in awarding the appropriate relief and the appeal, being devoid of merits was dismissed without costs.

## **XI. JUSTICE SAVITRI RATHO**

### **i. The Divisional Manager, The Oriental Insurance Co. Ltd. v. Gangotree Sahoo and Ors.**

Case Number: MACA No. 538 of 2017

Date of decision: 4<sup>th</sup> February, 2022

In this case, the Respondents as legal heirs of the deceased Muna Kumar Sahoo had filed the claim petition before the Tribunal claiming Rs.1,20,00,000/- as compensation on account of his death of in a motor vehicle accident. The Respondents had claimed that in front of Brahmanidevi Pitha near village Kulad on the N.H.55, the offending truck driven by the negligent driver came at a high speed with negligent manner from behind the motor cycle and dashed against the deceased. As a result of which, the deceased was thrown away on the road side and sustained multiple bleeding and grievous fracture injuries on his head and died on the spot. The Appellant-Insurance company filed written statement denying the manner of accident and challenged the maintainability of the claim petition for non-joinder and misjoinder of parties and prayed that the owner should produce the driving licence, original insurance policy and claimed violation of original policy condition. The Tribunal held the truck driver guilty of rash and negligent driving. It further held that on the date of accident, the driver had a valid driving licence and the vehicle was covered by a valid insurance policy. The legal heirs of the deceased were entitled to receive compensation on account of his death.

The Appellant has challenged this judgment on the grounds that i) The finding of the tribunal that monthly income of the deceased was Rs 66,172/- per month is perverse as non-admissible

items like puja bonus, allowances, amount paid towards professional tax have been included in it. ii) Under the “Nalco Employees Family Financial Assistance Rehabilitation Assistance Scheme”, one of the legal heirs of the deceased is liable to get the basic pay plus DA prevailing at the time of the death of the deceased employee till his original date of superannuation and his widow Respondent No.1 is in fact getting the said amount. This amount should have been deducted while deciding the quantum of compensation. iii) Award of interest at the rate of 7.5% per annum on the ground that the case dragged on for years due to fault of the Insurance Company is not supported by materials on record and is therefore liable for interference and the rate of interest cannot exceed 6% per annum for which the impugned order is liable for interference and iv) The multiplier should be reduced to 14 instead of 16.

The Court held that puja bonus and contribution towards professional tax and other allowances cannot be taken to be part of the income for the purpose of calculation of loss of income. The Court rejected the plea of the Appellant that the amount which is being paid per month to the wife of the deceased by NALCO under the scheme is to be deducted while calculating the loss of income. The Court reduced the rate of interest to 7% from 7.5% per annum owing to the fact that the Claimants did not make any objection to the suggestion of the Court regarding reduction. The contention of the Appellant to reduce the multiplier to 14 in place of 16 was rejected.

While partly allowing the appeal, the Court modified the compensation amount of Rs.1,08,01,856/- to Rs 64,64,000/-. It was further directed that this amount is to be paid along with interest @ 7% per annum from the date of filing of claim application i.e. from 10.11.2015 till realization. The appellant shall deposit the said amount before the Tribunal within three months of receipt of this order.

**ii. Smt. Amita Pattanayak v. Principal, C.D.A. (Pension), Allahabad, Uttar Pradesh & Ors.**

Case Number: TRP(C) No. 72 of 2022

Date of decision: 21<sup>st</sup> July, 2022

In this case, a question arose as to whether a High Court has the power and / or jurisdiction to transfer a suit pending in a Court subordinate to it to another Court subordinate to another High Court.? The brief facts of the case are that the petitioner-wife preferred this transfer petition under Section 24 read with Section 23 (3) of the Code of Civil Procedure (C.P.C.) for transfer of Civil Suit No. 387 of 2021 from the Court of learned Civil Judge (Senior Division), Angul, to the Court of Civil Judge under the jurisdiction of District Court, Jabalpur.

The Court referred to Section 22 to 25 of CPC and relied upon the case of *Durgesh vs Jayashree* ((2008) 9 SCC 648) wherein it was held that where certain Courts are subordinate to different High Courts, it is only the Supreme Court which may pass an order of transfer. In other words, if two courts are subordinate to different High Courts, one High Court has no power, jurisdiction or authority to transfer a case pending in any court subordinate to that High Court to a Court subordinate to another High Court after amendment of Section 25 of the C.P.C in the year 1976. It further held that Section 25 of CPC is ‘self- contained Code’ and comprises of substantive as well as procedural law on the point and allows a party to move the Court by making an



application. The jurisdiction of the High Court is limited to the territory within which it exercises jurisdiction and not beyond it. Hence, a High Court cannot pass an order transferring a case pending in a Court subordinate to it to a Court subordinate to another High Court and as this would be inconsistent with the limitation as to territorial jurisdiction of the Court. Keeping the above points in mind, this Court rejected the transfer petition with liberty to the Petitioner to approach the Supreme Court of India under Section 25 of the C.P.C for transfer of the suit.

## **XII. JUSTICE M.S. SAHOO**

### **i. Dr. Abinashi Sabyasachi Sethy v. State of Odisha and Anr.**

Case Number: WP(C) No.17325 of 2020

Date of decision: 15<sup>th</sup> July, 2022

In this case, the Petitioner had challenged his non-recommendation pursuant to the advertisement No.12 of 2018/19 issued by the Odisha Public Service Commission (OP No.2) for selection of Assistant Professor in the discipline of Paediatrics, in the Odisha Medical Education Service. The Petitioner had applied in the category of SC for selection to the post of Asst. Professor of Paediatrics. However, Dr. Mallick who was already working in the said post applied for the second time pursuant to the subsequent requisition of the State Government.

It was contended by the Petitioner that since the selected candidate was already appointed in the cadre of Orissa Medical Education Service working as Assistant Professor, Paediatrics pursuant to the order dated 06.11.2018, he was not given appointment for the subsequent selection as per the advertisement no.12 of 2018-19 and he continues to serve the Government in the cadre of OMES as per his earlier appointment.

The Opposite Party argued that Dr. Mallick had obtained a NOC from the appropriate authority for the sake of applying to the self-same post pursuant to advertisement no. 12 of 2018-19 issued by OPSC.

This Court observed that if the Merit List dated 07.06.2019 were taken into consideration, three SC candidates with Roll Nos. 367, 352(petitioner) and 372 (woman) should have been recommended if the candidature of Dr. Mallik “at the top” could not have been entertained, as he was already continuing in the same cadre and post for which advertisement was issued. The Court further remarked that once the OPSC has taken into account academic career and performance of the petitioner in the Viva Voce test, as recorded in Merit List dated 07.06.2019, the OPSC cannot go back not to disclose merit position of a particular candidate as per method of selection advertised by OPSC itself. The writ petition was allowed with an instruction to treat the Petitioner at par with the appointees appointed as per the recommendation of the OPSC pursuant to the advertisement No.12 of 2018/2019.

### **ii. Bombay Intelligence Security (India) Ltd. v. Union of India & Ors.**

Case Number: W.P.(C) No.29177 of 2021

Coram: Justice Jaswant Singh and **Justice M.S Sahoo**

Date of decision: 26<sup>th</sup> August, 2022

In this case, the Petitioner had challenged the decision of the tendering authority-All India Institute of Medical Science (Hereinafter, AIIMS for short), Bhubaneswar for accepting the bid of Opposite Party No.5-Quess Corporation Ltd, and awarding the contract to Opposite Party No.5 for providing manpower on job outsourcing basis at AIIMS Bhubaneswar for a period of two years from the date of award of contract and further extendable.

The Petitioner argued that the bid of Opposite Party No.5 should have been disqualified being not in consonance with Clauses-19 & 20 of the Technical Bid as the Opposite Party No.5 in the completion certificate produced for evaluation of its bid had not excluded “Security, Watchman & Housekeeping Services”.

On the other hand, the Opposite Party raised objection regarding maintainability of the writ petition contending that it is the prerogative of the tendering authority to evaluate the tender and it is also in the realm of policy of the public authority and, therefore, the writ petition is not maintainable.

This Court observed that the inbuilt mechanisms included in the tender process add to the sanctity of the tender process making it more in tune with the principles of natural justice as well as making the process more transparent. Moreover, the Court further opined that the petitioner had not been able to demonstrate that the Opposite Party no.5 had not complied with the conditions provided in Clauses 19 & 20 of the Technical Bid. The Court remarked- “The comparative evaluation shows total annual turnover of the opposite party no.5 other than manpower service is Rs.6179.77 crores whereas the said annual turnover other than manpower service of the petitioner is Rs.2187.21 crores (Rs.21,87,21,81,914.00), thereby, indicating that both having quoted 2.09% as rate of service charge the opposite party no.5 having higher cumulative turnover for the last five years becomes L1.” Accordingly, the writ petition being devoid of merits was disposed of.

### **XIII. JUSTICE R.K. PATTANAİK**

#### **i. Indrajit Sengupta & Anr v. State of Odisha & Ors**

Case Number: CRLMC No.2240 of 2009

Date of decision: 7<sup>th</sup> April, 2022

In this case, the Petitioners had challenged the correctness of the impugned order of cognizance dated 25<sup>th</sup> April, 2008 passed in G.R. Case No.130 of 2007 on various grounds inter alia contending that such prosecution is in violation of Article 20 of the Constitution of India, 1950 and also Section 300 Cr.P.C. as they could not have been prosecuted once again for the self-same incident which amounts to double jeopardy. The Petitioners had been convicted in 2 CC No.84 of 2007 for an offence punishable under Section 14 the Child Labour (Prohibition and Regulation) Act, 1986 and were subsequently charge-sheeted under Section(s) 342 and 323 read with 34 of I.P.C.

The Petitioners contended that pursuant to the complaint filed by the District Labour Officer, order of cognizance for an offence under Section 14 of the Child Labour (Prohibition and Regulation) Act, 1986 was passed and the petitioners were put to trial and later on convicted

and sentenced. Therefore, once having been convicted for an offence under Section 14 of the Act, 1986, for the same incident and set of facts, another prosecution under Section(s) 342 and 323 read with 34 I.P.C. cannot be maintained. On the other hand, the Opposite Party submitted that the offences under the Special Act and IPC are not identical; hence a case of double jeopardy is not made out.

The Court held that the expression 'same offence' appearing in Section 300 Cr.P.C. read with Article 20(2) of the Constitution of India means that the offence for which the accused has been tried and the offence for which he is again being tried must be identical. The subsequent trial is barred only if the ingredients of the two offences are identical and not when they are different even though may have resulted from the commission or omission arising out of the same set of facts. The Court observed that the offence under the Child Labour (Prohibition and Regulation) Act, 1986 is quite different and distinct from the IPC offences and therefore, the Petitioners cannot claim immunity against the criminal prosecution in G.R. Case No.130 of 2007. Accordingly, the CRLMC being devoid of merits was dismissed.

**ii. Sukumari Mohanty & Ors v. State of Odisha & Ors**

Case Number: W.P.(C) No.6568 of 2008

Coram: Dr. S. Muralidhar CJ and **Justice R.K Pattanaik**

Date of decision: 19<sup>th</sup> April, 2022

In this case, the Petitioners had assailed the order dated 29<sup>th</sup> July, 1995 passed in O.E.A. Revision Case No.16 of 1994 by the Member, Board of Revenue, Orissa (Opposite Party No.5) for having confirmed order dated 23<sup>rd</sup> November, 1983 passed by the OEA Collector-cum-Tahasildar, Bhubaneswar (Opposite Party No.4) in OEA No.66 of 1993, rejecting their predecessor's claim for acceptance of rent as a tenant under the State Government on the ground that the decision is per se illegal, perverse and without jurisdiction.

The Petitioners contended that the original tenant produced materials in support of lease and acceptance of tenancy by the State Government after ekpadia was submitted by the ex-intermediary, therefore, the impugned decision of Opposite Party No.5 concurring the findings of Opposite Party No.4 dismissing such claim cannot be sustained.

On the other hand, the Opposite Party-State contended that Opposite Party No.5 did not commit any error or illegality and rightly held that the lease in favour of the original tenant could not be established nor the possession in respect of the schedule property immediately prior to the date of vesting. Since, the material documents for the purpose of recognizing tenancy could not satisfy Opposite Party No.5, the impugned order under suffers from no legal infirmity.

This Court observed that under Section 8(1) of the OEA Act, the OEA authority does not have any authority either to settle the land in favour of a tenant under the ex-intermediary or fix any rent for the purpose of its collection from him while exercising jurisdiction thereunder but shall have powers only for an enquiry to ascertain the existence of tenancy and accept the fixed rent. The Court opined- "In the case of the Petitioners, when ekpadia was claimed to have been submitted and received by the authority from the ex- intermediary, the original tenant should



have immediately after vesting of the estate applied for acceptance of rent which he failed to do instead approached after nearly 30 years and therefore, the case also suffers from delay and laches on his part.” Accordingly, the Court without finding any justifiable reason to disturb the observations of Opposite Party No.5, dismissed the writ petition.

#### **XIV. JUSTICE SASHIKANTA MISHRA**

##### **i. Sanjit Kumar Mishra & Ors v. Ranjit Mishra**

Case Number: CRLREV No. 579 of 2011

Date of decision: 6<sup>th</sup> September, 2022

In this case, the Petitioners had challenged order of the Learned Trial Court that allowed the petition for substitution by substituting the deceased complainant with the Opposite Party. The deceased complainant had filed a complaint against his son, mother of his daughter-in-law and daughter-in-law as he was evicted from his room on the basis of false dowry allegations by the Petitioners.

The Petitioners argued that unlike civil proceeding, the Code of Criminal Procedure does not recognize substitution of a deceased complainant. The Code provides only for dismissal of a complaint upon death of an accused but does not expressly provide for continuance of the complaint thereafter.

On the other hand, the Opposite Party contended that the discharge of the accused in absence of the complainant under Section 249 of CrPC can only be made applicable when the offence can be lawfully compounded or is non-cognizable but not in respect of non-compoundable offences such as the ones Section 426/506 IPC.

The Court observed that the legal heirs of a complainant can continue the proceeding after his death and to such extent therefore, the magistrate had not committed any error in allowing one of his legal heirs to prosecute the complaint originally filed by his father. However, the Court stressed that the petition filed by the son of the deceased complainant to substitute him in place of his father must be deemed to be an application for permission to conduct prosecution as per Section 302 of the CrPC. The Court remarked- “any action which seeks to foreclose the right of a person to prosecute a legitimate complaint against his legal heirs and relations cannot be approved.” Accordingly, the CRLREV was allowed.

##### **ii. Dr. Prajyoti Swain and Ors. v. State of Odisha and Anr.**

Case Number: WP(C) No.15435 of 2019 and batch

Date of decision: 14<sup>th</sup> October, 2022

In these cases, the Petitioners had challenged the non-inclusion of their names in the select list for being recommended for appointment as Medical Officers (Asst. Surgeons) pursuant to the advertisement dated 5<sup>th</sup> January, 2019. The Petitioners had crossed the upper age limit for entry into the service i.e. 32 years, but in view of Clause-3 of the advertisement wherein age relaxation upto maximum of five years was provided for doctors already in service of the Government contractually or on ad hoc basis, the Petitioners had submitted their applications.

The Petitioners contended that they had never claimed to be considered under the SEBC category, but had only indicated the category to which they belong against the appropriate column in the application form. Further, the Petitioners claimed age relaxation as per Rule 7 of the 2017 Rules read with Clause-3 of the advertisement. Since the Petitioners had secured more than the cut-off marks they should have been considered under the unreserved category in view of the settled position of law that merit cannot be ignored under any circumstances.

The Opposite Party argued that the Government had submitted requisition to fill up 1950 posts, out of which only 938 were selected. 107 candidates did not join, for which the Government requested the OPSC to provide a list of 107 selected candidates for consideration of their appointment, but the OPSC having refused nothing further could have been done by the Government.

This Court observed that the Petitioners were entitled to be selected on their own merit as they had cleared the cut-off marks, but were not selected only because of absence of vacancies under the SEBC category. The Court found the methodology adopted by the OPSC in finalizing the select list as entirely wrong and untenable. Insofar as the question of relief is concerned, the Court remarked- “the Petitioners can only claim to be considered for inclusion in the select list in respect of the posts kept vacant as per order of this Court and nothing more.” The Court disposed of the writ petition with direction to OPSC to recommend to the State Government within a period of two months the names of only those Petitioners who had secured more than the cut-off marks of the UR category for their appointment as Medical Officers if they had been otherwise found ineligible.

## **XV. JUSTICE A.K. MOHAPATRA**

### **i. Basudev Singh v. State of Odisha**

Case Number: CRLREV No.34 of 2022

Date of decision: 31<sup>st</sup> March 2022

In this case, the Petitioner had challenged the order passed by the Sessions Judge-cum-Special Judge, Phulbani, in CrI. Misc. Case No.27 of 2021, wherein the prayer of the Petitioner to release the vehicle bearing Registration No. OD-24-7214 (Swift Dezire Car) under Section 457 of Cr.P.C. was rejected. The Petitioners had been arrested for alleged commission of offences under Section 20(b)(ii)(C)/25/27 of the NDPS Act, 1985.

The Petitioners contended that the vehicle should not be kept in court premises or police station premises for an indefinite period till conclusion of trial by keeping it exposed to sky, sun and rain and the condition of the vehicle to be deteriorated by remaining idle in the police stations. He has further submitted that in the event the vehicle is not maintained properly and keep stationary at one place, the same would turn into a piece of junk, as a result of which, the value of the vehicle would deteriorate drastically and eventually, it would be sold at a scrap value.

On the other hand, the Opposite Party submitted that the Petitioner was arrested and the vehicle was seized from the spot. Therefore, a prima facie case is well made out against the Petitioner. Further, in the event the vehicle is released, the same might not be available for the Confiscation Proceeding at the conclusion of the trial.

This Court held that no fruitful purpose would be achieved by simply keeping the seized vehicles at the police stations without proper maintenance. The Court placed reliance on the decision of *Ashish Ranjan Mohanty v. State of Odisha* (W.P.(C) No.31622 of 2021) and remarked that the deteriorating condition of the vehicles and the loss of commercial value could be prevented to a large extent if the vehicle is given on interim release in favour of concerned persons with the terms and conditions. Accordingly, the CRLREV was allowed.

**ii. Biswambara Kanhar and Ors. v. State of Odisha**

Case Number: CRLREV No.36 of 2022

Date of decision: 20<sup>th</sup> May, 2022

In this case, the Petitioner had challenged the order dated 12<sup>th</sup> January 2022 passed by the learned Special Judge, Phulbani in C.T. Case No.19 of 2021 wherein their prayer for default bail under the provisions of Section 167(2) of the Cr.P.C was rejected. The petitioners along with others had been arrested for the offence under Section 20(b)(ii)(C) of the N.D.P.S. Act and as such, they were in judicial custody since 21<sup>st</sup> December 2021.

It is contended by the Petitioners that they were arrested and remanded to judicial custody on 21<sup>st</sup> February 2021 and that the chargesheet should have been filed within 180 days i.e. on or before 20<sup>th</sup> August 2021. Moreover, the Investigating Officer had failed to file the charge-sheet within the aforesaid stipulated period of time and no application as provided in the proviso to Section 36 A (4) of the N.D.P.S. Act was presented to the court to sought for extension of time to file charge-sheet.

On the other hand, it is submitted by the Opposite Party that the statutory period of 180 days completed on 19.03.2021 and, the petitioners were supposed to file the application under Section 167(2), Cr.P.C. on that day itself. However, the Petitioner chose to file the application under Section 167(2), Cr.P.C. on 23.08.2021 rather than 19.08.2021 at their own risk.

The Court observed that the judgment of the Constitution Bench in *Sanjay Dutt v. State Through C.B.I Bombay* ((1994) 5 SCC 410) cannot be interpreted in a manner so as to give effect to the provision of 167 (2) Cr.P.C. to mean that even where the accused has promptly exercised his right under Section 167(2), Cr.P.C. and indicated his willingness to furnish bail bond, he can be denied bail on account of delay in deciding his application or erroneous rejection of the same. The Court remarked- “In the instant case, the prosecution has used the subsequent filing of charge-sheet as subterfuge to deny the petitioner of his right to go on default bail, which has been statutorily provided under Section 167(2), Cr.P.C.” Accordingly, the CRLREV was allowed.

**XVI. JUSTICE V. NARASINGH**

**i. Jagabandhu Sethi and Ors. v. State of Odisha and Ors.**

Case Number: CRLMC No.393 of 2020

Date of decision: 25<sup>th</sup> April 2022



The Petitioner along with Opposite Parties 2 and 3 was facing trial for the commission of the alleged offences under Sections 147, 148, 323, 325, 294, 307, 354, 302, 149 of the IPC, read with Section 3 of The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (S.C. and S.T. (P.O.A) Act). Being aggrieved by the order of the Trial Court allowing the prayer of the prosecution for recalling P.W.13 (Seta @Seeta Mallick) in exercise of power under Section 311 Cr. P.C., the present CRLMC was filed by the Petitioner.

The Prosecution had urged in the petition under Section 311 Cr.P.C. by the prosecution that since there are two accused persons with the same name Pratap Rout whose father's name differ, P.W.13 is required to be recalled to clarify the position for just decision of the case.

The Petitioner contended that Seeta Mallick (P.W.13) was examined, cross-examined and discharged on 12<sup>th</sup> February, 2016. On 10th December, 2019, the Additional Public Prosecutor, Bhadrak filed an application under Sec. 311 Cr.P.C. to recall said P.W.13 and another for re-examination. He further contended that allowing this prayer would amount to filling up of the lacuna by the prosecution and as such cannot be allowed.

This Court held that allowing the petition to recall P.W.13 would amount to enabling the prosecution filling a lacuna regarding the identity of accused which in the given facts, would result in miscarriage of justice. The CRLMC was thereby allowed.

**ii. Pravasini Mohanty v. State of Odisha and Ors.**

Case Number: RVWPET No. 140 of 2022

Date of decision: 23<sup>rd</sup> June 2022

In this case, the Petitioner had challenged the order passed by the Collector-cum-District Magistrate, Puri (Opposite Party No.2) in A.W.W. Misc. Case No.110 of 2010 to the WP(C) thereby affirming the order by which the petitioner working as Anganwadi Helper in Bisimatri Anganwadi Centre was disengaged and Opposite Party No.5 was allowed to continue as such.

The Petitioner contended that since the tenor of the counter was contrary to the factual matrix of the case at hand relating to selection of Anganwadi Helper and the same was taken into consideration by this Court while passing the judgment under review, in the interest of Justice in exercise of review jurisdiction, the said judgment ought to be reviewed and the Writ Petition is liable to be dismissed or in the alternative, recalling the judgment under review matter should be heard afresh.

The Court relied on the case of Rajendra Kumar v. Rambhai (AIR 2003 SC 2095) and iterated that there being no error apparent on the face of record which is the condition for entertaining a Review application, the RVWPET does not merit consideration. The Review petition was thereby rejected.

**XVII. JUSTICE B.P. SATAPATHY**

**i. Mahindra Kumar Patel v. State of Odisha and Ors.**

Case Number: WPC(OAC) No.1884 of 2014

Date of decision: 5<sup>th</sup> May, 2022

An Asst. Engineer (“Petitioner”) was in the eye of the storm of a disciplinary enquiry under Rule-17 of the OCS (CCA) Rules, 1962. The Enquiry Officer in his report did not find any material case against the Petitioner in lieu of lack of sufficient evidence. But the State Authority, anyway, proposed punishment of withholding of one annual increment with cumulative effect. Hence, the petitioner invoked the writ jurisdiction of the court to remedy his grievances.

The Petitioner contended that the Enquiry Officer in his report held the charges as not proved, therefore the Opposite Party No.1 while issuing the first show cause with the proposed punishment should have submitted a disagreeing note for not concurring with the opinion of the Enquiry Officer. Thus, without having any disagreeing note, the first show cause issued on 6<sup>th</sup> June 2013 is not in consonance with the provision of Rule-15 of the OCS (CCA) Rules, 1962.

This Court was of the considered view that the Opposite Party had not followed the provision contained in the OCS (CCA) Rules, 1962 and that amounted to non-compliance of the principle of natural justice.

### **iii. Narayan Senapati v. State of Odisha and others**

Case Number: WPC(OAC) No.3396 of 2013 and batch

Date of decision: 12<sup>th</sup> May, 2022

The petitioners were working in the establishment of Executive Engineer, Bhubaneswar (R & B) brought over to the regular establishment in Works Department. Scale of Pay of Work Sarkar which is of a Class- III scale, was fixed at Rs.2650-4,000/-. However, with the advent of O.R.S.P. Rules, 2008, the Scale of Pay of Work Sarkar working in the different Departments of the Government was fixed at Rs.4440-7440 with Grade Pay of Rs.1650/-. In the litigation that followed, this Court as well as the Supreme Court allowed the Scale of Pay of Rs.5,200-20,200/- with Grade Pay of Rs.1900 for the petitioners. However, the Housing and Urban Development Department refused to comply with the court directions and pay the petitioners according to the new pay scale.

The court held that the inaction of the Department amounts to non-compliance of the provision under Article 14 & 16 of the Constitution of India as well as the provisions of equality contained in Article 39 of the Constitution of India. Accordingly, this Court directed the Opp. Parties to extend the benefit of the scale of pay of Rs.5,200-20,200/- with G.P of Rs.1900/- in favour of the Petitioners herein.

## **XVIII. JUSTICE M.S. RAMAN**

### **i. M/s. Sumanshree Decoratives v. Commissioner of Sales Tax and Ors.**

Case Number: W.P.(C) No. 2429 of 2022

Date of decision: 4<sup>th</sup> April, 2022

In this case, the Petitioner had challenged the order dated 17.02.2021 passed by the Commissioner of Sales Tax, Odisha in Revision Case Nos. KAL- 109/V/2019-20 and KAL-110/E/2019-20 exercising powers under Section 79(2) of the Odisha Value Added Tax Act, 2004 and Section 18(3) of the Odisha Entry Tax Act, 1999, whereby the orders dated 30.04.2019 of the Joint

Commissioner Sales Tax, Balangir Range, Balangir, rejecting summarily the appeals being AA-16 (KA) of 2018- 18 (VAT) and AA-19 (KA) of 2018-19 (Entry Tax), at the behest of the petitioner- assessee had been upheld. According to the Petitioner, assessments under Section 43 of the OVAT Act and Section 10 of the OET Act were undertaken pursuant to report submitted by the Deputy Commissioner of Sales Tax, Vigilance, Koraput Division, Jeypore and without affording due and reasonable opportunity to the petitioner the opposite party No.2 raised huge demands. The Petitioner argued that neither the appellate authority nor the revisional authority considered the material placed on record. The authorities-opposite parties ought not to have rejected the merits of the appeal at the altar of defect or deficiency as the financial situation of the business should have been taken into consideration.

On the other hand, the Opposite Party contended that the provisions of law relating to deposit of tax in dispute for entertainment of appeals do not envisage making out a prima facie case for waiver of pre-deposit. Section 77(4) of the OVAT Act and Section 16(4) of the OET Act no way envisaged making out a prima facie case for waiver of pre-deposit. Further, opposite parties-authorities are justified in not taking the plea of financial hardship. Therefore, the orders of summary rejection of the appeals as upheld by the revisional authority do not warrant intervention.

The Court observed that confirmed the orders rejecting the appeals summarily as affirmed by the Commissioner of Sales Tax- revisional authority in exercise of power under Section 79(2) of the OVAT Act and Section 18(3) of the OET Act. The Court remarked- “in the teeth of authoritative exposition of law with regard to scope of waiver of condition of pre-deposit for entertainment of appeal in absence of statutory provision, this Court is not persuaded to relax such a condition.” The writ petition was accordingly, disposed of.

**ii. Stewart Science College and Anr. v. Income Tax Officer**

Case Number: WP(C) No. 17176 of 2022

Coram: Justice Jaswant Singh and **Justice M.S. Raman**

Date of Judgement: 27<sup>th</sup> September, 2022

In this case, the Petitioner No.1, Stewart Science College (petitioner-College), had challenged the Notice dated 22<sup>nd</sup> March, 2022 issued under Section 148A(b), the Order passed under Section 148(A)(d) along with Notice dated 31<sup>st</sup> March, 2022 issued under Section 148 indicating initiation of proceeding for assessment of escaped income under the Income-tax Act, 1961.

The Petitioners submitted that the assessee-College does fall within the meaning of expression “wholly or substantially financed by the Government” as employed in sub-clause (iiiab) of clause (23C) of Section 10 of the IT Act, it was not required to furnish return in view of provisions contained in Section 139(4C)(e). They further contended that the Assessing Authority has misconstrued that there has been escapement of income for the Assessment Year 2015-16. In such view of the matter, not only the notice dated 31<sup>st</sup> March 2022 issued under Section 148 is tainted, but also the Order dated 22<sup>nd</sup> March 2022 passed under Section 148A is vitiated.



The Respondent contended that the writ petition is premature inasmuch as the Petitioner-assessee has ample opportunity to place its material before the Assessing Authority on merit as also raise objection against the Order dated 31<sup>st</sup> March, 2022 passed under Section 148A(d) during the course of the assessment proceeding. Therefore, it was submitted that there being no prejudice caused to the petitioner, interference at this juncture by this Court under Article 226 of the Constitution of India would not be warranted.

The Court observed that the Supreme Court of India in *South India Tanners & Dealers Association v. Deputy Commissioner of Commercial Taxes ((2008) 23 VST 8 (SC))* expressed displeasure in entertainment of writ petition against the Show Cause Notice. It was further observed in such circumstances the Special Tribunal/High Court should not have interfered and they should direct the assessee to reply to the show cause notice and exhaust the statutory remedy. The writ petition was hereby rejected.

## **XIX. JUSTICE SANJAY KUMAR MISHRA**

### **i. Hriday Shabar v. Odisha Administrative Tribunal and Ors.**

Case Number: WP(C) No. 2708 of 2017

Coram: Dr. Justice B.R.Sarangi and **Justice Sanjay Kumar Mishra**

Date of decision: 21<sup>st</sup> July, 2022

The father of the Petitioner while working as a Driver in the Office of the Commercial Tax Officer, Investigating Unit, Bolangir, expired on 25<sup>th</sup> May 2011. The Petitioner, being an unemployed Graduate belonging to ST Community, applied for his engagement under the Rehabilitation Assistance Scheme (R.A. Scheme), on 13<sup>th</sup> November 2011, to the present Opp. Party No. 5, consequent upon which the said Application was sent to the Collector, Bolangir, for issuance of distress certificate. However, the Opposite Parties rejected the Application for appointment of the Petitioner under the R.A. Scheme vide Order on the ground that the brother of the Petitioner is serving as contractual Health Worker.

The Petitioner contended that the elder brother of the Petitioner, who was working as a Health Worker on contractual basis. Moreover, he was not residing with the family of the Petitioner and has been living separately with his own family members much prior to the death of the father of the Petitioner and there is no relationship/nexus between the Petitioner's family and the family of his elder brother.

The Opposite Parties contended that as per the R.A. Scheme, the wife of the deceased is the first claimant for appointment. As the wife of the deceased was declared medically unfit, her elder son Gauranga Shabar was eligible for appointment in terms of Rule-2 (b) of the Orissa Civil Service (Rehabilitation Assistance) Rules, 1990 ("OCS (R.A.) Rules, 1990"). However, the Petitioner, who was the second son of the deceased Government servant, filed a medical certificate vide which the elder son of late Radheshyam Shabar was declared unfit for any job under the R.A. Scheme. Accordingly, the Joint Commissioner of Commercial Taxes, Bolangir Range, Bolangir, was requested to make an enquiry into the matter. Pursuant to the said request, an Enquiry Report was submitted to the CTO Mobile, Bolangir Range, Bolangir, indicating therein

that the elder son of the deceased Government servant late Radheshyam Shabar is working as a contractual Health Worker and the present Petitioner, by suppressing the real fact, has applied for rehabilitation appointment, which is violative of the provisions under the R.A. Rules, 1990 and in terms of Rule-2 (a) (iii) of the OCS (R.A.) Rules, 1990, the present Petitioner is not entitled for a job under the R.A. Scheme.

This Court observed that the Petitioner in the present case not only gave false medical certificate to the Authority declaring his elder brother unfit for Government job but also failed to produce any Registered Partition Deed to satisfy the Authority that his brother was separated from the family prior to the death of his father. Hence the writ petition stands rejected.

**ii. Manager Director, Odisha Small Industries v. Abhay Kumar Samantray**

Case Number: WP(C) No. 19346 of 2021

Date of decision: 14<sup>th</sup> September, 2022

The Opposite Party No.1, after retirement from service w.e.f. 31<sup>st</sup> March 2018, because of non-payment of gratuity by the Petitioner-Corporation, preferred application in Form 'N' in terms of Rule-10(1) of the Orissa Payment of Gratuity Rules, 1974 on 22<sup>nd</sup> February 2019 claiming therein an amount of Rs.5,42,055/- towards gratuity with accrued interest on the ground that his initial appointment being 14<sup>th</sup> November 1991 and date of superannuation being 31<sup>st</sup> March 2018, he was entitled to the said Gratuity amount in terms of the last wages drawn by him, i.e. Rs.36,137/-, for the total period of 26 years of service.

The Petitioner-Corporation submitted that since Opposite Party was appointed in the regular establishment on 04<sup>th</sup> June 2015 and retired on 31<sup>st</sup> March 2018, after completion of 2 years 9 months and 27 days of regular service and in terms of Section-4 of the Payment of Gratuity Act, 1972, shortly, the P.G. Act, 1972, he had not filed any application for payment of Gratuity before 30 days of his superannuation i.e. on or before 1<sup>st</sup> March 2018, the said application in Form 'N' in terms of Rule-10(1) of the Orissa Payment of Gratuity Rules, 1974 filed on 22<sup>nd</sup> February 2019 is not maintainable.

The Controlling Authority took into consideration the last drawn wages of the present Opposite Party and his qualifying period of service as 26 years, determined gratuity amount payable to the present Opposite Party to be Rs.5,42,055/-. Moreover, in view of Provision enshrined under Section 7(3-A) of the P.G. Act, 1972, so also based on the judgments of the apex Court, the Controlling Authority ordered that the Opposite Party is entitled to get Rs. 1,28,608/- towards interest and in toto, he is entitled to get Rs.6,70,663/-.

This Court observed that the Controlling Authority under P.G. Act-Cum-Divisional Labour Commissioner, Cuttack, was justified to take into consideration the total period of service of the Opposite Party from the date of his initial engagement till the date of his superannuation, so also award 10% simple interest on the awarded amount for the delayed period, so also ordering to pay further simple interest @ 10% per annum till the payment is made, if the Petitioner-Corporation fails to deposit the said ordered amount within 30 days from the date of pronouncement of the judgment. The writ petition was thereby rejected.

## XX. JUSTICE GOURISHANKAR SATAPATHY

### i. **Bikram Pradhan v. State of Orissa and Anr.**

Case Number: CRLMC No. 533 of 2016

Date of Judgement: 10<sup>th</sup> November 2022

In this case, the Petitioner had preferred a petition under Section 482 of CrPC to quash the cognizance of offence U/S. 436 of the IPC by the S.D.J.M., Rairakhol. The facts in a nutshell are that the house of the Petitioner's brother (Rajkishore Pradhan) was burned down and consequently, he filed a FIR naming four of his brothers as primary suspect which included the Petitioner.

The question that arose was whether the initial statement of complainant together with the statement of witnesses on given facts of the complaint disclose commission of offence U/S.436 of IPC or any other offence and there is sufficient ground for proceeding against the petitioner. The Court observed that there is no direct allegation against the petitioner either in the FIR or in the complaint to evidence that he set fire to the dwelling house of the informant/Rajkishore Pradhan. The uncontroverted facts as per the FIR disclose that the petitioner was found asking others in presence of Antaryami Pradhan and Satrugan Roul as to why they were dousing the fire, when his own brother (informant) has set his own house on fire, but in the complaint, it is stated that the petitioner had prevented others from extinguishing the fire in presence of Antaryami Pradhan and Satrugan Roul. Consequently, the two witness Antaryami Pradhan and Satrugan Roul were examined and they both say that the Petitioner was only found saying as to why they were dousing off the fire.

The Court further found that based on the materials on record, it can be observed that no one saw the petitioner setting fire to the house of the informant-complainant nor was it alleged against him for setting fire to the house of the informant and the only allegation forthcoming against him is that he was saying to others as to why they were extinguishing the fire. The Court also referred to Section 436 of IPC and listed out three important factors which includes the following (i) mischief must have been committed by someone, (ii) such mischief must have been done by fire or explosive substance and (iii) mischief must be preceded by mens rea or knowledge to destroy the house. The Court also referred to Section 425 of IPC to understand the meaning of the term "Mischief" and observed that Mischief involves a mental/physical act accompanied with a destructive animus, and such destruction is with the object of causing wrongful loss or damage. On the other hand, negligence does not necessarily amount to mischief, but negligence with mens rea to cause wrongful loss or damage would amount to mischief in certain circumstances. Hence, the Court concluded that offence U/S.436 of IPC is referable to mischief by fire/explosive substance accompanied with mens rea or knowledge, besides causing destruction of any building ordinarily used as a place of worship or human dwelling or place of custody.

The Court concluded that the Petitioner only casually remarked and asked the witnesses to stop the dousing off the fire which in itself doesn't constitute an offence under Section 425 of CrpC and hence, quashed the cognizance of offence under section 436 of IPC.



## **ii. M/s. SBM Nirman Construction Private Limited, Sambalpur v. State of Odisha**

Case Number: W.P.(C) No.31673 of 2021

Date of Judgement: 10<sup>th</sup> November, 2022

Pursuant to a notice inviting tender by the Superintending Engineer, Northern (R&B) Circle, Sambalpur-opposite party No.4, the Petitioner was successful in bidding and executing the work. The dispute between the parties revolved around the payment of incentives which was claimed by the petitioner for early completion of the work. However, the opposite parties denied the same for not fulfilling the conditions enumerated in Clause 54 (Condition of Contract) and addendum to Note-1 appended to 3.5.5.(v) of the O.P.W.D. Code at an agreement value of Rs.3,67,92,061/-. Additionally, the Government had unilaterally reduced the agreement value to Rs. 2,95,43,535/-. The Petitioner completed his work early and claimed incentives which was rejected by the Opposite Party as the revised contract value is less than Rs. 3 crores as per addendum to Note No.1 to Para- 3.5.5.(v) of OPWD Code. The petitioner had challenged this refusal as being illegal, arbitrary and unreasonable as well as violative of Article 14 of the Constitution of India.

The Opposite Parties contended that the value of the work done by the petitioner being Rs.2,95,43,535/- was less than the minimum requirement of Rs.3 crores, however, it was admitted fact that the agreement was made between the parties for doing work at an agreement value of Rs.3,67,92,061. The Court held that in a contract matter, the dispute between the parties are to be resolved in strict adherence to the terms of contract of agreement signed between them which in this case has been signed between the parties for a contract value of Rs.3,67,92,061. The Court further held that the unilateral deduction of amount without amending or modifying the contract to deny the incentives to the petitioner in terms of the relevant provisions of OPWD Code, is not only violative of the principle of equality as enshrined in Article 14 of the Constitution of India but also an exposition of inequitable discrimination.

The Court clarified that the claim of the petitioner in this matter would have been probably different, had there been any modification/amendment of contract with insertion of such fact about granting incentive to the petitioner to be impossible for reason of scaling down the contract value since the petitioner executing the contract has legitimate expectation of incentives which is provided for giving encouragement by way of extending extra benefits. However, to unilaterally modify the contract to deny the benefit of incentives as contained in the agreement earlier entered into by the parties taking advantage of position is not only unreasonable but also unfair. Thus, the writ Petition was allowed and the authority were asked to pay the incentive to the Petitioner with due interest.

## **XXI. JUSTICE CHITTARANJAN DASH**

### **i. Kulamani Parida v. State of Odisha**

Case Number: CRLMC No.3756 of 2016

Date of decision: 9<sup>th</sup> November, 2022

The Petitioner challenged the order of the trial court whereby the court took cognizance of offence under Sections 420, 467, 468, 471 and 120-B IPC.

The background of the case is that the Chief Manager, State Bank of Travancore, Bhubaneswar Branch alleged that the State Bank of Travancore, Bhubaneswar Branch had sanctioned financial assistance to the tune of Rs.600 lakhs to M/s. Chhotray Suppliers, a partnership firm, on mortgage of an immovable property. Later, the bank, in regular course of business for search report, noticed at Registrar of Companies that Bank's charge over the mortgaged property has been shown as satisfied against a 'No-Objection Certificate' purportedly issued by the bank. However, no such letter had been issued and signed by the Chief Manager, State Bank of Travancore, Bhubaneswar Branch. In fact, the loan was never satisfied. The matter of forgery and impersonation was brought to the police. During investigation, it was revealed from the document that they were indeed forged. The petitioner was the Chartered Accountant of the firm and was named as a co-conspirator in the case.

The court held that the allegation appearing in the F.I.R. and the complaint of the Bank vis-à-vis the Petitioner does not make out a case constituting the offences included in the chargesheet as neither the Petitioner was a part of the business transaction allegedly to have conducted by the co-accused persons nor that the document in question, allegedly to have been forged and fabricated, is attributed to the present Petitioner. In absence of a material showing his personal interest in any gain/loss in the impugned transaction, the court quashed the order vis-à-vis the petitioner's liability.

## **ii. Sarathi Mohapatra and others v. State of Odisha**

Case Number: CRLA No.11 of 2004

Date of decision: 14<sup>th</sup> December, 2022

This Appeal was filed challenging the judgement of the trial court wherein the appellant(s) had been found guilty in the offence under Section 302 read with Section 34 IPC and sentenced to undergo imprisonment for life.

The context was that a dispute arose between Kamini Mohapatra and Sita Mohapatra over an owed debt. Sarathi Mohapatra, Husband of Sita, threatened Thakur, Husband of Kamini, and declared he would take their lives within 15 days. The next morning, Thakur Mohapatra was killed by Sarathi and the other three appellants, with an assault of knives, spades and guptis. The prosecution brought in eye witnesses and corroborated it with the testimony of the appellants under Section 27 of the Evidence Act. The defence decried false accusation and questioned the veracity of the eye witnesses.

The court held that the testimony of the eyewitness who did not deviate from what she deposed being present in the scene of occurrence assures her truthfulness to the factum of incident. The argument of the Appellants, therefore, to the effect that the eye witnesses have been planted is far from truth and deserves to be rejected.





RECORD ROOM DIGITIZATION CENTRE  
HIGH COURT OF ORISSA

RECORD ROOM DIGITISATION CENTRE  
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Record Room Digitization Centre



# VI

## Initiatives to tackle the Challenges



## Initiatives to tackle the Challenges

In the last Annual Report, in a chapter titled 'Introspection and Challenges', an attempt was made to highlight the areas in which the Odisha judiciary had faced challenges and the steps proposed to be taken to meet them. While reviewing the performance of the Odisha judiciary in the past year 2022, it is seen that while there has been reasonable progress in several areas, formidable challenges still remain. A few of these need to be explained.

- **Tackling the docket explosion:**

### High Court -

At the beginning of the year 2022, the

total pendency of cases of all types was 1,96,662. During 2022, 1,04,321 cases were instituted as compared to 1,28,786 in 2021. The total disposal of cases in 2022 was 1,36,599 as compared to 1,05,182 in 2021, which is an increase in disposal by 29.86%. At the end of the year 2022, 1,64,384 cases remained pending. Judgments were delivered by the High Court in 2168 cases as compared to 810 in 2021. The Case Clearance Rate (CCR) that is, Disposal/Institution x 100 was 130.94% in 2022 as compared to 81.67 in 2021.

Age-wise category	Disposed of in 2022	Pendency at the end of 2022
more than 40 year-old	1	6
25 to 40 year-old	297	2,962
10 to 25 year-old	8,471	32,708
less than 10 years	1,27,830	1,28,708

As mentioned in the previous Annual Report, consequent upon abolition of the Odisha Administrative Tribunal (OAT) in August 2021, of 49,878 cases pending before the OAT were transferred to the High Court. Of these, 41,572 cases were disposed of during 2022. This was able to be achieved by distributing these cases among 7 benches. 8306 cases remained at the end of 2022.

### District Courts -

The total pendency of cases of all types was 17,89,677 at the beginning of 2022. 5,52,948 cases were instituted during 2022 as compared to 4,34,810 cases

in 2021. Of these, 5,15,392 cases were disposed of in 2022 as compared to 2,38,588 cases in 2021. This reflects rate of increase in disposal by 116%. At the end of 2022, 18,26,100 cases remained pending. Judgments were delivered in 1,61,263 cases as compared to 72,806 cases in the 2021.

The Case Clearance Rate (CCR) that is, Disposal/Institution x 100 was 93.20% in 2022 as compared to 54.87 in 2021. This has been possible by adopting proper case-management strategies by the judicial officers devoting of personalized attention.

Age-wise category	Disposed of in 2022	Pendency at the end of 2022
more than 40 year-old	220	32
25 to 40 year-old	7,852	4,637

This was possible by identifying 13 pilot districts which focused attention on disposal of year-old cases.

In addition, there was substantial disposal of cases by adopting Alternative Dispute Resolution Modes (ADR) as also by way of withdrawal of prosecution by the government resorting to section 321 of CrPC.

3,37,277 cases were disposed of in 5 Lok Adalats held during the year 2022.

44,989 cases were withdrawn from prosecution by the government in consultation with the High Court under the provisions of Section 321 of Cr.P.C.

All these have considerably lessened the burden of docket explosion.

- **Uneven distribution of cases in different courts:**

It has been the experience that cases were unevenly distributed in the dockets of the different courts across the State. As a result, some courts were overburdened with work, while some others had less work. This resulted in non-optimum utilization of the available judicial resources. The issue was discussed in the District Judges' Conference held on 26<sup>th</sup> and 27<sup>th</sup> February, 2022 and it was resolved to adopt rationalization of cases among the different courts so as to ensure their even distribution.

The District Judges were instructed to impress upon all transferring courts to transfer such number of cases to the trial courts so as to maintain equal pendency to the extent possible.

As such, a total number of 3,24,900 cases were transferred to different trial courts. This resulted in striking a balance in regard to pendency of cases among all courts.

As a following on the above measure, 25 new cognizance-taking courts were inaugurated across the State on 21<sup>st</sup> November, 2022. As a result, the heavy burden on the existing cognizance-taking courts has considerably reduced.

The above process of rationalization is expected to ensure greater efficiency and higher disposal of cases in the days to follow.

- **Loss of court working hours:**

The Odisha Judiciary as a whole has been facing the problem of loss of court working hours for a variety of reasons, which include holding of references due to deaths of lawyers and judges, leave/official tour of judges and the Covid-19 pandemic. In 2022, 3118 working hours (reference = 1,537; leave/official tour = 1,395 and Covid-19 = 185) out of 23,736 working hours were lost in the High Court. [Working hour = Total Working hour per day (5 hours 15 minutes) x No. of working days x working strength of the Judges]

Likewise, the cumulative loss of court working hours of the District Courts lost in the State during 2022 was 2,22,447. This was due to many reasons including cease



work, picketing and strike by lawyers.

[Working hour = Total Working hour per day (6 hours) x No. of average loss of working days x average working strength of judicial officers in the State]

The orders passed by the Supreme Court in *TP(C) No. 2419 of 2019 M/s PLR Projects Pvt. Ltd. v. Mahanadi Colfields Ltd and others* on 12<sup>th</sup> December, 2022 and 14<sup>th</sup> December, 2022 have helped adopt a changed approach. **(Appendix-Q)**

- **Judge strength:**

The sanctioned strength of the High Court as on 1<sup>st</sup> January, 2022 was 27.

The sanctioned strength of the High Court as on 31<sup>st</sup> December, 2022 was 33.

The working strength of the High Court as on 1<sup>st</sup> January, 2022 was 18.

The working strength of the High Court as on 31<sup>st</sup> December, 2022 was 22.

The sanctioned strength of the District Court judges as on 31<sup>st</sup> December, 2022 was 1001. The working strength of district court judges as on 1<sup>st</sup> January, 2022 was 785 and as on 31<sup>st</sup> December, 2022 it stood at 767.

In the aftermath of Covid-19 pandemic which had affected the process of recruitment in 2020 and 2021, efforts were taken for timely recruitment of judicial officers in the district courts. As a result, 50 officers of the 2021 batch and 1 officer in the cadre of District Judge were inducted into the judicial service in 2022 leaving a vacancy of 186 posts, which have already been notified for being filled up.

For 19 vacancies of 2021 to be filled up in the cadre of District Judge by way of direct recruitment from the Bar, 410 applications were received pursuant to

the advertisement issued on 1<sup>st</sup> February, 2022. Of these 216 candidates appeared in the written test held on 3<sup>rd</sup> April, 2022 and only 4 candidates qualified for the viva voce held on 13<sup>th</sup> May, 2022. Out of the 4 candidates, only 1 could qualify in the viva voce test and was appointed.

For 53 vacancies of 2021 to be filled up in the cadre of Civil Judge, recruitment was conducted by the Odisha Public Service Commission on 13<sup>th</sup> December, 2021. The Main written examination was held on 20<sup>th</sup> September, 2022 and Viva Voce test was held from 7<sup>th</sup> October, 2022 to 6<sup>th</sup> November, 2022. The final select list was published on 1<sup>st</sup> December, 2022 and the selected 50 candidates were appointed.

- **Traditional challenges:**

In the last Annual Report a number of traditional challenges had been highlighted such as, non-execution of warrants, long abscondance of accused persons, non-availability of witnesses, non-disposal of Fine Misc. cases and Bailer Misc. cases etc.

In the two letters addressed to them on 18<sup>th</sup> April, 2022 and 27<sup>th</sup> October, 2022, the Chief Justice impressed upon the district judges to coordinate with the district administration and police for early execution of warrants and early apprehension of absconding accused persons **(Appendix-R)**. The administrative judges of the districts, at the time of their visits to the districts, have also requested the police administration to expeditiously execute warrants. The district judges have been asked to instruct the judicial officers of their judgements to prioritize disposal of Fine Misc. cases and Bailer Misc. cases.

The problem of non-availability of

witnesses, particularly the official witnesses and persons living far away, has been tackled by resorting to virtual courts. As a result there has been significant increase not only in the examination of witnesses through the virtual mode but also physically. 4,32,262 witnesses were examined in the year 2022 as compared to 2,25,352 in 2021. Of them, 2013 witnesses were examined through virtual mode in 2022. This has also contributed to increase in disposal of cases.

On the civil side the common problems faced are non-service of summons on parties, non-availability of Salaried Amin (Amin Commissioner), long pendency of execution cases, non-substitution of legal representatives of deceased parties and non-disposal of interlocutory applications etc.

While the non-availability of adequate number of Salaried Amins remains, the district judges have been instructed to drop/ dispose of execution cases in which the parties are no longer interested or not taking any steps. 7,185 such cases were dropped/ disposed of in the State. As regards the other problems, the judicial officers have been asked to adopt proper case-management strategies and focus their personalized attention for better disposal.

- **Record rooms and store-houses:**

Records Room in the High Court as well as in the district courts of the State were in a state of disarray causing practical difficulties in tracing out required records as also in delivering certified copies thereof. This also thwarted the process of digitization undertaken for permanent conservation of records in digitized form. A conscious decision was therefore, taken to reorganize and rearrange the record rooms. The administrative judges of the

respective judgeships, during their visits, laid special emphasis on this aspect. By the end of the year all record rooms in the State have been fully reorganized and rearranged in an orderly manner leading to effective retrieval of records there from as also for facilitating easy digitization of records. This has greatly facilitated the work of 10 new digitization hubs created for cluster of districts.

Similarly, the Malkhana (Storehouses) of all courts in the districts were in disorganized state being congested causing practical difficulties in withdrawal and restoration of material objects kept therein. Following the orders dated 31<sup>st</sup> January, 2022 passed by the High Court in *WP(C) 31622/2021 Ashish Ranjan Mohanty v. State of Odisha* and *WP(C) 32580/2021 State of Odisha v. Registrar General, High Court of Orissa*, a decision was taken to amend the Rule 177 of the GR & CO (Criminal) Vol I by inserting Rule 177-A providing for constitution of a Committee consisting of judicial officers and Judge-in-charge, Storehouse for identification of unidentified material objects and for their early disposal after retaining the Hash Values thereof. As a result, the storehouses of the judgeships have become organized leading to decongestion.

- **Infrastructure:**

It is needless to mention that better infrastructure leads to better performance. Keeping in view the above, much emphasis has been laid to provide stakeholder-friendly court complexes and proper residential accommodation for judicial officers and staff. In the year 2022, 5 court buildings were inaugurated, 18 quarters for judicial officers and 72 residential quarters for staff have been constructed.

Sl. No.	Name of the Judgeship	Name of the project	Estimated Cost (in Rs.)	No. of Court halls	Date of Inauguration	Name of the Executing Agency
1	Nayagarh	Construction of Court Building at Bhapur	7,40,83,722	2	10.12.2022	OSPH & WC Ltd.
2	Balasore	Construction of Court Building of Gram Nyayalaya, Bhograi	4,88,63,900	2	30.03.2022	OSPH & WC Ltd.
3	Keonjhar	Construction of Court Building of Gram Nyayalaya, Ghasipura	4,88,64,469	2	30.03.2022	OSPH & WC Ltd.
4.	Bhadrak	Construction of Court Building for JMFC & Gram Nyayalaya, Dham-nagar	5,83,38,455	2	12.02.2022	OSPH & WC Ltd.
5.	Bhadrak	Construction of Court Building for C.J. (J.D.)-cum-JM-FC, Chandbali	5,83,38,455	2	11.02.2022	OSPH & WC Ltd.

The internal layout of the court that envisages both the witness and accused being seated, while the trial is in progress, has been introduced on a test basis in Kendrapara and is being replicated in all new court complexes. The scheme annexed for identifying the Best Performing District (**Appendix-P**) is meant to incentivize better performance of the District Courts.

Added to the above, Odisha Judiciary has resorted to greater use of technology in the form of opening more virtual court-rooms, paperless courts, vulnerable witness deposition centers (VWDC), e-filing (3.0)

enabled centers etc. Further, conscious efforts were made to provide conducive work ethic and climate among the support staff by insisting upon regular judicial officers and staff meetings/interactions. The district judges have enhanced monitoring of the work of other judicial officers of the district by holding regular review meetings.

To sum up, though challenges remain, yet Odisha Judiciary stands committed to meet the same through its positive initiatives and continued efforts so that its Constitutional obligation is fulfilled.





*A Corridor in the Mediation Centre*





*A court room in the new building of the High Court*



# Appendices



*M.K. Gandhi*

2<sup>nd</sup> October 1869 - 30<sup>th</sup> January 1948



## Appendix-A

### Case Statistics of High Court for the year 2022

THE HIGH COURT OF ORISSA, CUTTACK																	
Month-wise Institution, Disposal and Case Clearance Rate, 1st January - 31st December 2022																	
Month	Opening Balance			Institution			Disposed of			Closing Balance			Case Clearance Rate (%) (Disposal vis-à-vis institution)			Judges' working strength	Working days
	Cvl	CrI	Total	Cvl	CrI	Total	Cvl	CrI	Total	Cvl	CrI	Total	Cvl	CrI	CRR		
January	1,43,998	52,664	1,96,662	13236*	2,609	15,845	6,664	2,877	9,541	1,50,570	52,396	2,02,966	50.35	110.27	60.21	18	19
February	1,50,495	52,396	2,02,891	5,849	2,852	8,701	10,367	4,035	14,402	1,45,977	51,213	1,97,190	177.24	141.48	165.52	21	20
March	1,45,957	51,212	1,97,169	3,919	3,115	7,034	7,055	4,276	11,331	1,42,821	50,051	1,92,872	180.02	137.27	161.09	21	19
April	1,42,819	50,047	1,92,866	4,066	3,079	7,145	5,961	3,864	9,825	1,40,924	49,262	1,90,186	146.61	125.50	137.51	21	17
May	1,40,922	49,262	1,90,184	4,444	3,567	8,011	4,430	4,097	8,527	1,40,936	48,732	1,89,668	99.68	114.86	106.44	21	17
June	1,40,921	48,731	1,89,652	3,301	3,118	6,419	3,634	2,590	6,224	1,40,588	49,259	1,89,847	110.09	83.07	96.96	21	14
July	1,40,584	49,259	1,89,843	4,358	3,336	7,694	7,975	5,591	13,566	1,36,967	47,004	1,83,971	183.00	167.60	176.32	22	20
August	1,36,953	47,004	1,83,957	4,419	3,425	7,844	8,551	5,502	14,053	1,32,821	44,927	1,77,748	193.51	160.64	179.16	24	18
September	1,32,819	44,927	1,77,746	5,149	4,403	9,552	10,422	6,669	17,091	1,27,546	42,661	1,70,207	202.41	151.46	178.93	23	22
October	1,27,641	42,706	1,70,347	3,903	3,086	6,989	5,458	2,955	8,413	1,26,086	42,837	1,68,923	139.84	95.76	120.37	22	14
November	1,26,085	42,838	1,68,923	5,377	3,691	9,068	8,881	3,438	12,319	1,22,581	43,091	1,65,672	165.17	93.14	135.85	22	20
December	1,22,563	43,109	1,65,672	6,360	3,659	10,019	7,209	4,098	11,307	1,21,714	42,670	1,64,384	113.35	112.00	112.86	22	17
Cumulative figures from 1st January, 2022 to 31 <sup>st</sup> December, 2022																	
Total	1,43,998 (As on 1.1.2022)	52,664 (As on 1.1.2022)	1,96,662 (As on 1.1.2022)	64,381	39,940	1,04,321	86,607	49,992	1,36,599	1,21,714 (As on 31.12.2022)	42,670 (As on 31.12.2022)	1,64,384 (As on 31.12.2022)	134.52	125.17	130.94		217

Total no. of Judgments delivered: 2168 (This is excluding the cases disposed of by orders)

\* Including institution of OAT Matters - 8,588

N.B.: Total working hours during the period : 23736.35 (Total working hours = 5.15 hours × No. of working days in the given period × Working strength of the Hon'ble Judges during the period)

Total working hours lost : 3118.315

Hours lost on account of reference held by Court due to sad demise of learned Advocates/Judges : 1537.27

Hours lost due to Judges being on leave/official tour : 1395.645

Hours lost due to COVID-19: 185.40

N.B.: (1) There were only 14 working days in October on account of Puja/Diwali Holidays

(2) The Court was closed on account of Winer Holidays from 24th December, 2022 to 31st December, 2022

(3) The difference between the closing balance of a month and opening balance of the succeeding month is due to subsequent updation of disposal and restoration of some cases in CIS.

## Case Statistics

(1<sup>st</sup> January, 2022 to 31<sup>st</sup> December, 2022)

### Institution and Disposal

Opening Balance (As on 01.01.2022)	Institution	Disposal	Closing Balance (As on 31.12.2022)
1,96,662	1,04,321	1,36,599	1,64,384

### Month Wise Statistics

Month	Institution	Disposal	Case Clearance Rate (%) Disposal vis-à-vis Institution
January	15,845*	9,541	60.21
February	8,701	14,402**	165.52
March	7,034	11,331	161.09
April	7,145	9,825	137.51
May	8,011	8,527	106.44
June	6,419	6,224	96.96
July	7,694	13,566***	176.32
August	7,844	14,053****	179.16
September	9,552	17,091*****	178.93
October*****	6,989	8,413	120.37
November	9,068	12,319	135.85
December	10,019	11,307	112.86
<b>Total</b>	<b>1,04,321</b>	<b>1,36,599</b>	<b>130.94<sup>#</sup></b>

\* Including institution of OAT matters - 8,588

\*\* Including disposal of OAT matters - 5,149

\*\*\* Including disposal of OAT matters - 1,924

\*\*\*\* Including disposal of OAT matters - 3,183

\*\*\*\*\* Including disposal of OAT matters - 4,121

\*\*\*\*\* Number of working days is 14 due to Puja/Diwali Holidays

# The Case Clearance Rate (CCR) from 1<sup>st</sup> January, 2022 to 23<sup>rd</sup> December, 2022 is 133.60. The Court was closed from 24<sup>th</sup> December, 2022 to 31<sup>st</sup> December, 2022 on account of Winter Holidays. However, 2,074 number of cases were filed during the holidays. At the end of the year i.e. as on 31<sup>st</sup> December, 2022 the CCR of the year stands at 130.94.

## Appendix-B

### Recommendations of the Rules Committee

Sl. No.	Rules/ Amendments	Court's Notification No.	Odisha Gazette Notification No.	Related Rules
1	The Orissa High Court Right to Information (Amendment) Rules, 2022.	No. 850/R dated 27 <sup>th</sup> April, 2022	No. 1733 dated 13 <sup>th</sup> May, 2022	Amendment of Rule-3 (c), (d) and (e) of the The Orissa High Court Right to Information (Amendment) Rules, 2022
2	Amendment of the Rules of High Court of Orissa, 1948 (4 <sup>th</sup> Edition, 1983) (a) Rule-17, Chapter-XIII (Implementation of FASTER)	Standing Order No.03 of 2022	C.S. No. 101 Dtd.17.05.2022	Amendment of Rule-17 of the Rules of High Court of Orissa, 1948, Vol-I.
	(b) Substitution of Rule-6-A, Chapter-VI (Stamp value to be attached in Vakalatnama/ Appearance Memo) vide C.S. No.100	C.S. No. 100 Dtd.24.01.2022	No. 725 Dtd.08.04.2022	Amendment of Rule-6-A of the Rules of High Court of Orissa, 1948, Vol-I.
3	The High Court of Orissa (Appointment of Staff & Conditions of Service) (3 <sup>rd</sup> Amendment) Rules, 2022	No. 1713/R dated 5 <sup>th</sup> September, 2022	No. 2653 dated 9 <sup>th</sup> September, 2022	Framing of Scheme for selection and appointment of Law Researchers in the Centre for Judicial Archives of the Odisha (i.e. Judicial History Project of the High Court of Orissa)
4	The High Court of Orissa (Appointment of Staff & Conditions of Service) (2 <sup>nd</sup> Amendment) Rules, 2022.	No. 908/R dated 17 <sup>th</sup> May, 2022	No. 1831 dated 21 <sup>st</sup> May, 2022	Amendment of Rule-34, 35, 37, 38 and Appendix-I of the High Court of Orissa (Appointment of Staff & Conditions of Service) Rules, 2019
5	The High Court of Orissa (Appointment of Staff & Conditions of Service) (Amendment) Rules, 2022 relating to the Junior Stenographer.	No. 734/R dated 21 <sup>st</sup> March, 2022	No. 516 dated 22 <sup>nd</sup> March, 2022	Amendment of Rule-32 and 33 of the High Court of Orissa (Appointment of Staff & Conditions of Service) Rules, 2019
6	The Civil Procedure Mediation (Amendment) Rules, 2022.	No. 762/R dated 4 <sup>th</sup> April, 2022	No. 805 dated 13 <sup>th</sup> April, 2022	Amendment of Rule-4(a) of the Civil Procedure Mediation Rules, 2007.



Sl. No.	Rules/ Amendments	Court's Notification No.	Odisha Gazette Notification No.	Related Rules
1	The Code of Civil Procedure (Odisha Amendment), 2022.	No. 932/R dated 24 <sup>th</sup> May, 2022	No. 1894 dated 24 <sup>th</sup> May, 2022	Odisha Amendment in Order-I, II, V, X, XI, XXI, XXV, XXVI and XL of the First Schedule of the Code of Civil Procedure, 1908.
2	Scheme formulated U/r 5 of the Odisha District & Sub-ordinate Courts' Group-D Employees (Method of Recruitment & Conditions of Service) Rules, 2021.	No.1046/R Dtd.30.06.2022	No.2199 Dtd.05.07.2022	Newly Framed
3	The Odisha District & Sub-ordinate Courts' Group-D Employees (Method of Recruitment & Conditions of Service) (Amendment) Rules, 2022.	No.11299 Dtd.12.10.2022	No.2902 Dtd.14.10.2022	Renaming of word "Daftary" as "Binder" of the Odisha District & Sub-ordinate Courts' Group-D Employees (Method of Recruitment & Conditions of Service) Rules, 2021.
4	The Odisha District & Sub-ordinate Courts' Non-Judicial Staff Services (Method of Recruitment & Conditions of Service) (Amendment) Rules, 2022.	No.11305 dated 12 <sup>th</sup> October, 2022	No. 2903 dated 14 <sup>th</sup> October, 2022	Renaming of word "Daftari" as "Binder" of the Odisha District & Sub-ordinate Courts' Non-Judicial Staff Services (Method of Recruitment & Conditions of Service) Rules, 2008..
5	The Odisha District & Sub-ordinate Courts' Non-Judicial Staff Services (Method of Recruitment & Conditions of Service) (2 <sup>nd</sup> Amendment) Rules, 2022.	No.11311 Dtd.12.10.2022	No.2904 Dtd.14.10.2022	Amendment of Rule-6(4) of the Odisha District & Sub-ordinate Courts' Non-Judicial Staff Services (Method of Recruitment & Conditions of Service) Rules, 2008.
6	The Odisha Superior Judicial Service & Odisha Judicial Service (Amendment) Rules, 2021.	No.15545 dated 31 <sup>st</sup> December, 2021	No.9 dated 4 <sup>th</sup> January, 2022	Amendment of Appendix-A & B of the Odisha Superior Judicial Service & Odisha Judicial Service Rules, 2007

Sl. No.	Rules/ Amendments	Court's Notification No.	Odisha Gazette Notification No.	Related Rules
7	The Odisha Superior Judicial Service & Odisha Judicial Service (2 <sup>nd</sup> Amendment) Rules, 2022.	No.11325 dated 12 <sup>th</sup> October, 2022 No. 2905 dated 12 <sup>th</sup> October, 2022	No. 2905 dated 12 <sup>th</sup> October, 2022	Amendment of Rule-9 and 9-A of the Odisha Superior Judicial Service & Odisha Judicial Service Rules, 2007
8	Amendment of the G.R. & C.O. (CrI.) Vol-I, 1977 Edition	C.S No. 129-138		Amendment of Rule-177-A, 223, 228, 361,363, 187-A and 112 G.R. & C.O. (CrI.) Vol-I, 1977 Edition
9	Amendment of the G.R. & C.O. (CrI.) Vol-II, 1977 Edition	C.S. No.77 to 80.		Amendment of Form No. (R)-1-A and (R)-8 of the G.R. & C.O. (CrI.) Vol-II, 1977 Edition
10	Amendment of the G.R. & C.O. (Civil) Vol-I, 1985 Edition	C.S. No.69 to 82.		Amendment of Rule-144, 586(i), 516, 533(A), 331(A), 46(A), 51, 332, 581, 584, 548 and renaming of the words i.e. "Chief Administrative Officer, "Deputy Administrator and "Assistant Administrator" of the G.R. & C.O. (Civil) Vol-I, 1985 Edition.
11	Amendment of the G.R. & C.O. (Civil) Vol-II, 1988 Edition	C.S. No.12.		Renaming of the words i.e. "Chief Administrative Officer, "Deputy Administrator and "Assistant Administrator of the G.R. & C.O. (Civil) Vol-II, 1988 Edition

## Appendix-C

### *New Court buildings constructed at the District headquarters and outlying stations*

Sl. No.	Name of the Judgeship	Name of the project		Estimated Cost (in Rs.)	No. of Court halls	Date of Inauguration	Name of the Executing Agency
1	Nayagarh	Civil Court Complex at Bhapur	Construction of Court Building	7,40,83,722	2	10.12.2022	OSPH & WC Ltd.
			Construction of Transit House	56,48,000	-	10.12.2022	Rural Works
			Construction of D-type Residential Quarters for	63,51,894	-	10.12.2022	Rural Works
2	Balasore	Construction of Court Building of Gram Nyayalaya, Bhograi		4,88,63,900	2	30.03.2022	OSPH & WC Ltd.
3	Keonjhar	Construction of Court Building of Gram Nyayalaya, Ghasipura		4,88,64,469	2	30.03.2022	OSPH & WC Ltd.
4.	Bhadrak	Construction of Court Building for JMFC & Gram Nyayalaya, Dhamnagar		5,83,38,455	2	12.02.2022	OSPH & WC Ltd.
5	Bhadrak	Construction of Court Building for C.J. (J.D.)-Cum-JMFC, Chandbali		5,83,38,455	2	11.02.2022	OSPH & WC Ltd.



## Appendix-D

### *New residential quarters constructed at the District headquarters and outlying stations*

Sl. No.	Name of the Judgeship	Name of the project	Type of Residential Units and for whom it meant	Estimated Cost of the Project (in Rs.)	Date of Completion	Name of the Executing Agency
1	Nayagarh	Construction of 44 nos. of E-type Staff Quarters at Nayagarh	Judicial Staff of Nayagarh Judgeship	9,17,90,000	10.12.2022	R&B
2	Nayagarh	Construction of D-type Quarters for JMFC at Bhapur	Civil Judge-cum-JMFC, Bhapur	63,51,894	10.12.2022	Rural Works
3	Balangir	Construction of 16 nos. of E-type, 16 nos. of F-type twin quarter for staff of Civil Court at Balangir	Judicial Staff of Balangir Judgeship	7,00,00,000	05.11.2022	R&B
4	Nuapada	Construction of D-type Residential Quarters of Gram Nyaya-laya-cum-J.M.F.C at Komna	Civil Judge-cum-JMFC, Komna	64,64,300	30.09.2022	OSPH & WC Ltd.
5	Jagatsinghpur	Construction of C-type Residential Quarters for Civil Judge (Sr. Divn.) Women's Courts, Jagatsinghpur	Sr. Civil Judge (Women), Jagatsinghpur	71,17,600	08.09.2022	OSPH & WC Ltd.
6	Jagatsinghpur	Construction of C-type Quarters for the Secretary, DLSA, Jagatsinghpur	Secretary, DLSA, Jagatsinghpur	71,17,600	08.09.2022	OSPH & WC Ltd.
7	Rayagada	Construction of D-type Residential Quarters for JMFC, Bissamcuttack	Civil Judge-cum-JMFC, Bissamcuttack	64,64,300	30.08.2022	OSPH & WC Ltd.

Sl. No.	Name of the Judgeship	Name of the project	Type of Residential Units and for whom it meant	Estimated Cost of the Project (in Rs.)	Date of Completion	Name of the Executing Agency
8	Dhenkanal	Construction of B-type Residential Quarters for Vigilance Judge, Dhenkanal	Vigilance Judge, Dhenkanal	84,90,000	08.07.2022	OSPH & WC Ltd.
9	Dhenkanal	Construction of B-type Residential Quarters for Judge Family Court, Dhenkanal	Family Judge, Dhenkanal	84,90,000	08.07.2022	OSPH & WC Ltd.
10	Dhenkanal	Construction of C-type Quarters for Sr. Civil Judge (Women), Dhenkanal	Sr. Civil Judge (Women), Dhenkanal	71,17,600	08.07.2022	OSPH & WC Ltd.
11	Dhenkanal	Construction of C-type Quarters for Secretary, DLSA	Secretary, DLSA, Dhenkanal	71,17,600	08.07.2022	OSPH & WC Ltd.
12	Sonepur	Construction of C-type Quarters for the Secretary, DLSA, Sonepur	Secretary, DLSA, Sonepur	57,41,000	04.06.2022	R&B
13	Balasore	Construction of D-type Quarters for JMFC at Rajabagicha, Balasore	Civil Judge-cum-JMFC of the Headquarters station at Balasore	72,15,000	18.05.2022	R&B
14	Kendrapara	Construction of B-type Residential Quarter for District Judge, Kendrapara	District & Sessions Judge, Kendrapara	54,64,400	13.05.2022	OSPH & WC Ltd.

## Appendix-E

### *Ongoing residential and non-residential projects of the District Judiciary*

Sl. No.	Name of the Judgeship	Name of the project	Estimated cost of the project (in Rs.)	Date on which Foundation Stone has been laid by the Court	Name of the Executing Agency
1	Bhadrak	Bar Association Hall with Amenity Centre at District Court Complex, Bhadrak	3,61,39,567	12.02.2022	R&B
2	Sundargarh	District Court Building, Sundargarh	45,43,46,000	05.03.2022	R&B
3	Sundargarh	Civil Court Building, Rourkela	43,85,51,000	05.03.2022	R&B
4	Rayagada	District Court Building, Rayagada	47,92,68,000	20.03.2022	R&B
5	Jajpur	District Court Complex, Jajpur	1,05,21,90,000 (As per rough cost estimates)	09.04.2022	R&B
6	Jajpur	Construction of Court Building at Jajpur Road	10,11,36,000	09.04.2022	R&B
7	Jharsuguda	Construction of Transit House	1,09,90,000	16.07.2022	R&B
8	Gajapati	Construction of Court Building for Sr. Civil Judge, R.Udaygiri	7,53,08,000	31.07.2022	Rural Works
9	Ganjam	Construction of Court of Civil Judge-cum-JMFC at Jagannathprasad	2,65,53,000	31.08.2022	Rural Works



Sl. No.	Name of the Judgeship	Name of the project	Estimated cost of the project (in Rs.)	Date on which Foundation Stone has been laid by the Court	Name of the Executing Agency
10	Ganjam	Construction of Court Complex at Bhanjanagar	22,06,60,662	31.08.2022	R&B
11	Nayagarh	Construction of JMFC Court Building at Gania	5,48,17,544	10.12.2022	Rural Works
12	Nayagarh	Construction of Transit House at Daspalla	97,63,300	10.12.2022	R&B
13	Nayagarh	Construction of Canteen-cum-Bar Association Hall at JMFC Court Complex, Daspalla	2,31,69,000	10.12.2022	R&B
14	Nayagarh	Construction of Transit House at Nayagarh	4,16,99,000	10.12.2022	R&B
15	Nayagarh	Construction of Bar Association Hall-cum-canteen of District Judge Court Building at Nayagarh	4,70,91,000	10.12.2022	R&B
16	Nayagarh	Construction of Record Room-cum-Malkhana of District Judge Court Building at Nayagarh	1,77,23,000	10.12.2022	R&B
17	Nayagarh	Construction of 32 Nos. of F-type quarters at Nayagarh	5,45,25,000	10.12.2022	R&B

## **Appendix-F**

### **Promotion of employees of various cadres in the High Court**

Sl. No.	Name of the Post for which D.P.C. was held	Vacancy	No. of candidates in zone of consideration	Nos. of candidates promoted
1	Joint Registrar-cum- Principal Secretary	01	07	01
2	Additional Deputy Registrar (Judicial & Establishment)	02	03	02
3	Additional Stamp Reporter & Oath Commissioner	08	04	03
4	Assistant Registrar-cum- Senior Secretary	02	10	02
5	Secretary	8	14	8
6	Personal Assistant	27	11	4
7	Superintendent	18	57	18
8	Section Officer	48	76	48
9	Assistant Section Officer	13	18	13
10	Head Driver	2	19	2
11	Diarist	04	04	04
12	Copyist	04	01	01
13	Senior Driver	02	10	02

## Appendix-G

### *Set of instructions provided to the District Judges for operating of the e-Libraries*

#### *Instructions regarding establishment/functioning/management of the e-Library for the members of the Bar Association(s) in the District headquarters*

1. The e-Library shall be used for the purpose of research and browsing law related websites including official websites displaying orders and judgments of various Courts.
2. The facility of e-Library shall initially be available for six months. On satisfactory user by the Bars, this period may be extended at discretion of the High Court, after which maintenance of the systems and services will be responsibility of the beneficiary Bars. In event, there is/are instances of non-user, the equipment and services will be withdrawn.
3. The maintenance of the infrastructure, the computer systems and the internet connectivity shall be the look out of the concerned Bar.
4. Any other necessary action to safeguard the spirit and purpose of e-Library may be taken by the District Judge in coordination with the Bar.
5. A register shall be maintained either in the electronic form or physically to record the names of the Advocates who use e-Library, the date and time of their use. Entries in this register are to be made on daily basis. The Bar Association shall assign a responsible person to ensure accurate and timely entries in the said register.
6. The above register shall be placed on a weekly basis before the President of the Bar Association and the District Judge for keeping track of overall utilization of the e- Library.
7. Instances of misuse of e-Library shall be reported to the President of the concerned Bar Association and the District Judge, for necessary action.
8. In case of report of any misuse of e-Library, the District Judge shall submit a written report of the incident to the Co-ordinator, Arbitration Centre for necessary action.

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#### *Instructions regarding establishment/functioning/management of the e-Library for the members of the Bar Association(s) in the District headquarters*

1. The District Judge of the concerned district in consultation with the Bars, where the e-library is proposed to be established, shall select a suitable site preferably inside the Bar Hall, for establishment of the e-Library in the District headquarters. It should be ensured that the place where the e-Library is proposed to be established is only used by members of the Bar.
2. The District Judge shall set up a fibre glass/ply cubicle of size (10x10) feet in the selected room where two tables(work stations) of size 4 feet x 2 feet each with two chairs shall be placed in two corners of such cubicle. Two computers of the specifications as per Annexure-C shall also be provided by the District Judge. The pictures of the proposed lay out and the workstations are provided in Annexure-B for reference.
3. The expenses incurred in setting up the e-Library shall be met by the District Judge concerned from the contingency fund.
4. One half of the door of the cubicle shall be of glass and a sticker reading “e-Library for the Bar provided by the High Court of Orissa” shall be affixed to it.
5. Provision for internet connectivity (BSNL FTTH plan of Rs.849/-) shall be made for the aforementioned computers by the District Judge.
6. The e-Library shall be used for the purpose of research and browsing law related websites including official websites displaying orders and judgments of various Courts.
7. The facility of e-Library shall initially be available for six months. On satisfactory user by the Bars, this period may be extended at discretion of the High Court, after which maintenance of the systems and services will be responsibility of the beneficiary Bars. In event, there is/are instances of non-user, the equipment and services will be withdrawn.
8. The maintenance of the infrastructure, the computer systems and the internet connectivity shall be the look out of the concerned Bar.
9. Any other necessary action to safeguard the spirit and purpose of e-Library may be taken by the District Judge in coordination with the Bar.



## Appendix-H

### Vulnerable Witnesses Deposition Centres (VWDC) Scheme, 2022

## HIGH COURT OF ORISSA, CUTTACK

### NOTIFICATION

No. 678 Date 09/03/2022

With the objective of ensuring a safe and conducive environment for recording the evidence of Vulnerable Witnesses in the light of the directions issued by the Supreme Court of India in ***Smruti Tukaram Badade Vs. State of Maharashtra & Anr.*** in Miscellaneous Application No. 1852 of 2019 in Criminal Appeal No. 1101 of 2019, the High Court of Orissa, do hereby, formulate the following Scheme:

#### Part - I

1. **Short Title and Commencement.-**

This scheme may be called as "The High Court of Orissa Vulnerable Witnesses Deposition Centres (VWDC) Scheme, 2022" and it shall apply to the Courts sub-ordinate to the High Court of Orissa from such date as the Chief Justice of the High Court of Orissa may notify in this behalf.

2. **Applicability.-**

The provisions of this Scheme shall apply to any Vulnerable Witness in any criminal proceeding before any Court, regardless the party, who seeks to examine such a witness.

3. **Definitions and Meanings.-**

In this Scheme, unless the context otherwise requires-

- i. **"Court"** means any Court trying criminal cases, which is sub-ordinate to the High Court of Orissa;
- ii. **"Descriptive Aids"** mean a human figure, model, anatomically correct dolls or a picture or anatomical diagrams or any other aids deemed appropriate to help a Vulnerable Witness to explain an act or a fact;
- iii. **"Development Level"** refers to the specific growth phase in which

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most individuals are expected to behave and function in relation to the advancement of their physical, socio-economic, cognitive and moral abilities;

- iv. **“Judge”** means the Presiding Officer of the Court;
- v. **“Re-victimization”** means a situation in which a person suffers more than one criminal incident over a period of time;
- vi. **“Secondary Victimization”** means victimization that occurs not as a direct result of a criminal act but through the response of institutions and individuals to the victim;
- vii. **“Special Measures”** mean and include the use of any mode, method and instrument etc. considered necessary for providing assistance in recording deposition of Vulnerable Witnesses;
- viii. **“Support Person”** means and includes guardian *ad litem*, legal aid lawyer, facilitator, interpreter, translator and any other person appointed by the Court to provide support and assist the Vulnerable Witness to testify or attend judicial proceedings;
- ix. **“Testimonial Aids”** mean and include screens, live links, images and/or voice altering devices or any other technical devices;
- x. **“Video Conferencing”** means the technology by which interaction between two or more persons may take place through use of computers, network, audio-video equipment and ancillary devices and shall include video calling;
- xi. **“Vulnerable Witnesses”** mean and include the following:
  - a) Child witnesses, who have not completed 18 years of age;
  - b) Age neutral victims of sexual assault read with Sections 273 and 327 of the Code of Criminal Procedure, 1973 and Section 354 of the Indian Penal Code, 1860;
  - c) Gender neutral victims of sexual assault read with Section 2(d) of the Protection of Children from Sexual Offences Act, 2012 (32 of 2012);

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- d) Age and gender neutral victims of sexual assault under Section 377 of the Indian Penal Code, 1860 read with paragraph 34(1) of the decision in *Sakshi Vs. Union of India* [(2004) 5 SCC 518];
  - e) Witnesses suffering from "mental illness" as defined under Section 2(s) of the Mental Healthcare Act, 2017 read with Section 118 of the Indian Evidence Act, 1872;
  - f) Any witness deemed to have a threat perception under the Witness Protection Scheme, 2018 of the Union Government as approved by the Supreme Court in *Mahendra Chawla Vs. Union of India* [ (2019) 14 SCC 615];
  - g) Any speech or hearing impaired individual or a person suffering from any other disability who is considered to be a Vulnerable Witness by the competent Court;
  - h) Any other witnesses deemed to be vulnerable by the Court for reasons to be recorded in writing.
- xii. **"Vulnerable Witnesses Deposition Centre"** means and consists of rooms or chambers not being conventional Court rooms that create a barrier free environment, where deposition of a Vulnerable Witness can be recorded through video conferencing freely without constraining limitations, both physical and emotional;
- xiii. **"Video Linkage Room"** means the deposition room, where the witness being accompanied by a support person (if engaged by the Court) records his deposition through video conferencing;
- xiv. **"Vulnerable Witnesses Waiting Room"** means a room or hall for Vulnerable Witnesses where they can wait for their turn to record their deposition in the video linkage room. It shall be provided with toys, books, television etc. which may aid in lowering the anxiety of Vulnerable Witnesses and make the Vulnerable Witnesses comfortable.

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9/2/2022



## Part - II

### 4. Competence of Vulnerable Witness & Assessment. -

a. Every Vulnerable Witness shall be competent to testify unless the Court considers that he or she is prevented from understanding the questions put to him or her, or from giving rational answers to those questions due to tender age, unsoundness of mind, disease, or any other cause of the like nature.

**Explanation:** A mentally unsound person may be held competent to testify unless he or she is prevented by such unsoundness of mind from understanding the questions put to him or her and giving rational answers to the same.

b. The Court may, *suo motu* or upon receiving any application in this behalf from defence or prosecution, conduct a competency assessment of the Vulnerable Witness before recording the testimony of such witness.

c. In making such assessment, the Court shall have due regard to clause (4)(a) and the circumstances of the case.

d. Whenever a Court proceeds to make an assessment as to whether a Vulnerable Witness is competent to testify, it shall record a specific finding regarding the ability of such witness to perceive, remember, communicate, distinguish truth from falsehood or appreciate the duty to tell the truth, and/or to express the same.

e. The process of competency assessment shall involve the following persons:

- i) the Judge and such Court personnel deemed necessary and specified by the Judge in writing;
- ii) the counsel for the parties;
- iii) the support person;
- iv) the accused, unless the Court determines that competence requires

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to be and can be fully evaluated in his absence;

- v) any other person, who in the opinion of the Court can assist in the competence assessment.

Provided that the competence assessment of a Vulnerable Witness, who is a child shall be conducted only by the Judge.

**5. Questions to be put during assessment.-**

The questions asked to assess the competency of the child or any other like Vulnerable Witness shall be appropriate to the age and developmental level of the child and such any other Vulnerable Witness, shall not be related to the issues at trial; and shall focus on his ability to remember, communicate, distinguish between truth and falsehood, and appreciate the duty to testify truthfully.

**6. Continuing duty to assess competence.-**

The Court has the duty of continuously assessing the competence of the Vulnerable Witnesses throughout their testimony and to pass appropriate orders, as and when deemed necessary.

**7. Prior Visit of Vulnerable Witnesses to the Court.-**

Vulnerable Witnesses, for reasons to be recorded by the Court, may be allowed a pre-trial Court visit along with the support person (if any) to enable such witnesses to familiarize them with the environment of the Court and may also include the following:

- i) the location of the accused in the dock;
- ii) Court officials (what their roles are and where they sit);
- iii) who else might be in the Court, for example those in the public gallery;
- iv) the location of the witness box;
- v) a run-through of basic Court procedure;
- vi) the facilities available in the Court;
- vii) discussion of any particular fears or concerns with the intermediaries, prosecutors and the Judge to dispel the fear, trauma

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- and anxiety in connection with the prospective deposition at Court;
- viii) demonstration of any special measures applied for and/or granted, for example practising on the live link and explaining who will be able to see them in the Courtroom and showing the use of screens (where it is practical and convenient to do so).

**8. Meeting the Judge.-**

The Judge may meet a Vulnerable Witness *suo motu* for reasons to be recorded or on an application of either party in presence of the prosecution and defence lawyer or in their absence before he gives evidence, for explaining the Court process in order to help him understand the procedure and give his best evidence.

**9. Appointment of Guardian *ad litem* in case of a Child Witness.-**

The Court may appoint any person as guardian *ad litem* as per law to a witness who is a victim of or a witness to a crime having regard to his best interests after considering the background of the guardian *ad litem* and his familiarity with the judicial process, social service programmes and child development, giving preference to the parents of the child, if qualified. The guardian *ad litem* may be a practicing advocate except a person, who is a witness in any proceeding involving the child.

**10. Duties of guardian *ad litem*.-**

- It shall be the duty of the guardian *ad litem* so appointed by Court to-
- i) attend all depositions, hearings and trial proceedings in which a Vulnerable Witness participates;
  - ii) make suggestions to the Court concerning the welfare of the Vulnerable Witness keeping in view the needs of the witness and observing the impact of the proceedings on the witness;
  - iii) explain in a language understandable to the Vulnerable Witness, all legal proceedings, including police investigations, in which the witness is involved;
  - iv) assist the Vulnerable Witness and his family in coping with the emotional effects of the crime and subsequent criminal or

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- non-criminal proceedings in which the witness is involved;
- v) remain with the Vulnerable Witness while such witness waits to testify.

**11. Legal Assistance to Vulnerable Witness.-**

A Vulnerable Witness may be provided with legal assistance by the Court, if the Court considers the assignment of a lawyer to be in the best interest of the witness throughout the justice process in the following instances:

- a) at the request of the support person, if one has been designated;
- b) pursuant to an order of the Court on its own motion.

**12. Court to allow presence of support persons.-**

- a) A Court shall allow *suo motu* or on request, verbal or written, the witness testifying in a judicial proceeding to have the presence of one person of his/her own choice to provide him support, who shall render permissible support within its view and if the need arises, may permit him to accompany the witness to the Video Linkage Room provided that such support person shall not in any manner prevent the witness from the view of the opposing party or the Judge;
  - b) The Court may allow the support person to hold the hand of the Vulnerable Witness or take such measures to provide emotional support to such witness in course of the proceedings;
  - c) The Court shall ensure that the support person does not prompt, sway or influence the Vulnerable Witness during his testimony;
  - d) Where no other suitable person is available, only in very rare cases should another witness in the case be appointed as a support person. The Court shall ordinarily appoint a neutral person, other than a parent, as a support person. Only in exceptional circumstances, keeping the condition of the Vulnerable Witness in mind, the Court should appoint either of the parents as a support person.
- 13. Testimony of support person to be recorded prior to Vulnerable Witness.-**

Wherever the support person himself/herself is a witness in the same

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case with respect to the Vulnerable Witness for whom he is assigned, his/her testimony shall be recorded prior to the testimony of the Vulnerable Witness in such case.

**14. Court to appoint facilitator.-**

The Court shall allow use of facilitators to assist the Vulnerable Witness in effectively communicating at various stages of trial and/or to coordinate with it so also with the stakeholders, such as, police, medical practitioner, prosecutor, psychologist and defence counsel.

The Court may *suo motu* or upon an application presented by either party or a support person of a Vulnerable Witness appoint a facilitator, if it finds that such witness is having difficulty in understanding or responding to the questions asked.

**Explanation:**(i)The facilitator may be an interpreter, a translator, child psychologist, psychiatrist, social worker, guidance counsellor, teacher, parent, or relative of such witness who shall be under oath to pose questions according to the meaning intended by the counsel;

(ii) If the Court appoints a facilitator, the respective counsel for the parties shall pose questions to the Vulnerable Witness only through the facilitator, either in the words used by the counsel or, if the Vulnerable Witness is not likely to understand the same, in words or by such mode as is comprehensible to the Vulnerable Witness and which convey the meaning intended by the counsel.

**15. Right to be informed.-**

A Vulnerable Witness, his or her parents or guardian, his or her counsel, the support person, if engaged to provide assistance shall, from their first contact with the Court process and throughout that process, be promptly informed by the Court about the stage of the process and to the extent feasible and appropriate about the following:

- a) Procedures of the criminal justice process including the role of the Vulnerable Witness, the importance, the timing and manner of testimony and the ways the proceeding shall be conducted during the trial;

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- b) Existing support mechanism for a Vulnerable Witness when participating in the proceeding including making available the support person to provide assistance;
- c) Specific time and place of hearing;
- d) Availability of protective measures;
- e) Relevant rights of child victims and witnesses pursuant to the applicable laws, the Convention on the Rights of Child and other international legal instruments including the Guidelines and the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, adopted by the General Assembly in its resolution 40/34 of 29<sup>th</sup> November, 1985;
- f) The progress and disposition of the specific case including the apprehension, arrest and custodial status of the accused and any pending changes to that status, the prosecutorial decision and relevant post-trial developments and the outcome of the case.

### **Part - III**

#### **Procedure of Recording Testimony and Ancillary Matters**

#### **16. Establishment of Vulnerable Witness Deposition Centres.-**

- i. Every District Judge shall set up at least one permanent Vulnerable Witnesses Deposition Centre (VWDC) in the establishment of the District Court (or Additional Sessions Court establishment);
- ii. The VWDC shall be equipped with features and facilities as may be necessary to adhere to the provisions of this Scheme.

#### **17. Vulnerable Witness Court Room.-**

- i. It shall be comprised of:
  - a) Main Court Room;
  - b) Accused area separated by a tinted glass mirror or like material through which the accused can watch the Court proceedings;
  - c) Video Linkage Room i.e. Vulnerable Witness Deposition Room.
- ii. The Vulnerable Witness being accompanied by the support person (if engaged by the Court) shall only be allowed entry inside the Video Linkage Room for the purpose of the recording of his evidence;

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- iii. The Vulnerable Witness shall hear questions from the Court Room through Video Conferencing and his answers can be heard in the Court Room directly;
- iv. The accused can see through the tinted glass mirror the proceedings of the Court but, he shall not be visible to the Vulnerable Witness. The Vulnerable Witness can see the accused only if allowed by the Judge, like at the stage of identification of the accused;
- v. Witness's T.V. screen replica (in the Video Linkage Room) shall be placed on the dais of the Judge so that the Judge can see when the accused is visible on the screen of the Vulnerable Witness;
- vi. In the main Court room, one large T.V. screen shall be installed in such a place that it shall be visible to the accused through the tinted glass mirror but shall not be visible to the Vulnerable Witness;
- vii. The Judge if feels appropriate in the interest of the Vulnerable Witness, may allow the witness to see the proceedings of the Court;
- viii. The entry and exit route of the Vulnerable Witness shall be separate from the entry and exit of the accused so that at no point of time they both come face to face. As far as practicable, the entry and exit of persons other than the Vulnerable Witness and the support person (if any) shall be prohibited through such entry/exit route;
- ix. The support person (if engaged) shall accompany the Vulnerable Witness to the Waiting Room where the Vulnerable Witness shall wait and on the matter being called out shall proceed to the Video Linkage Room with the Vulnerable Witness to record his evidence.

**18. Duty to provide comfortable environment.-**

It shall be the duty of the Court to ensure congenial atmosphere for the Vulnerable Witness by issuing directions and also by supervising the location, movement and deportment of all persons in the Courtroom including the parties, their counsel, child witnesses, support persons, guardian *ad litem*, facilitator and Court personnel. While deciding to ensure such an environment, the Judge may be dispensed with from wearing his judicial robes.

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**19. Booking of slot for examination of Vulnerable Witnesses in VWDC.-**

On receipt of requisitions from different Presiding Officers of the Courts relating to examination of Vulnerable Witnesses in the VWDC, the Officer in-charge of the VWDC shall book date and time slot for such examination, enter the slot-booking in a register to be maintained by him/her and communicate to the Presiding Officers of the concerned Courts well ahead of the same.

**20. Breaks during testimony.-**

The Court may, if it considers necessary and expedient, permit frequent breaks for the Vulnerable Witnesses during the recording of evidence.

**21. Directions for Criminal Court Judges.-**

- (i) Vulnerable Witnesses shall receive top priority and shall be handled as expeditiously as possible, minimizing unnecessary delays. (Whenever necessary and possible, the Court schedule shall be altered to ensure that the testimony of the Vulnerable Witnesses is recorded on sequential days without delay and that the witness is not called repeatedly to testify in the Court);
- (ii) The Judge and the Officer in-charge of VWDC should ensure that the developmental needs of the Vulnerable Witnesses are duly taken care of.

**22. Mode of questioning.-**

To facilitate the ascertainment of the truth, the Court shall exercise control over the questioning of Vulnerable Witness to-

- (i) ensure that questions are stated in a form appropriate to the developmental level of the Vulnerable Witness;
- (ii) protect Vulnerable Witness from harassment or undue embarrassment;
- (iii) avoid waste of time by declining questions which the Court considers unacceptable due to their being improper, unfair, misleading, needless, repetitive or expressed in language that is too complicated for the witness to understand;
- (iv) allow the child witness to testify in a narrative form;
- (v) ask the counsel to communicate the questions to be put to the

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witness to the Court in appropriate cases which shall in turn put those questions to the witness.

**23. Objections to questions.-**

Objections to questions should be couched in a manner so as not to mislead, confuse, frighten a Vulnerable Witness.

**24. Allow questions in simple language.-**

The Court shall allow the questions to be put in simple language avoiding slang, esoteric jargon, proverbs, metaphors and acronyms. The Court shall not allow the questions carrying words capable of more than one meaning, questions having use of both past and present in one sentence, or multiple questions which is likely to confuse a witness. Where the witness appears confused, instead of repetition of the same question, the Court should direct for its re-phrasing.

**Explanation:** (i) The reaction of Vulnerable Witness shall be treated as sufficient clue that question was not clear so that it shall be rephrased and put to the witness in a different way;  
(ii) Given the witness developmental level, excessively long questions shall be required to be rephrased and thereafter put to witness;  
(iii) Questions framed as compound or complex sentence structure; or two part questions or those containing double negatives shall be rephrased and thereafter put to the witness.

**25. Protection of privacy and safety.-**

**a) Confidentiality of Records.-** Any record regarding a child victim shall be confidential and kept under seal. Except upon written request and order of the Court, the record shall only be made available to the following:

- (i) Members of the Court staff for administrative use;
- (ii) The Public Prosecutor for inspection;
- (iii) Defence counsel for inspection;
- (iv) The guardian *ad litem* for inspection;
- (v) Other persons as determined by the Court.

**b) Protective Order.-** The deposition of the Vulnerable Witness

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recorded by video link shall not be video recorded except under reasoned order requiring the special measures by the Judge. However, where any video or audio storage device is used for recording the evidence of a Vulnerable Witness, it shall be under a protective order that provides as follows:

- (i) A transcript of the testimony of the Vulnerable Witness shall be prepared and maintained on record of the case. Copies of such transcript shall be furnished to the parties of the case;
- (ii) Audio/Video recordings may be viewed only by the parties, their counsel, their expert witness and the guardian *ad litem*;
- (iii) No person shall be granted access to such recordings, or any part thereof unless he signs a written affirmation that he has received and read a copy of the protective order; that he submits to the jurisdiction of the Court with respect to the protective order; and that in case of violation thereof, he will be subject to the contempt power of the High Court of Orissa;
- (iv) Each of such recording, if made available to the parties or their counsel, shall bear the following cautionary notice:

This object or document and the contents thereof are subject to a protective order issued by the Court in (case title) and (case number). They shall not be examined, inspected, read, viewed or copied by any person or disclosed to any person, except as provided in the protective order. No additional copies of the recording or any portion of it shall be made, handed over, sold or shown to any person without prior Court order. Any person violating such protective order is subject to the contempt power of the High Court of Orissa and other penalties prescribed by law;

- (v) No recording shall be given, sold or shown to any person except as ordered by the Court;
- (vi) This protective order shall remain in full force and effect until further order of the Court.

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- c) **Personal details during evidence likely to cause threat to physical safety of Vulnerable Witness to be excluded.-**

A Vulnerable Witness has a right at any Court proceeding not to testify regarding personal identifying information, including his name, address, telephone number, school/institution and other information that could endanger his personal safety or his family. The Court may, however, require the Vulnerable Witness to testify regarding personal identifying information in the interest of justice.

- d) **Destruction of video and audio storage device.-** Any video or audio recording of the evidence of a witness produced under the provisions of the Scheme or otherwise made part of the Court record shall be dealt with as per rules framed from time to time by the High Court of Orissa.

**26. Protective measures.-**

At any stage in the justice process where the safety of a witness is deemed to be at risk, the Court shall arrange to have protective measures put in place for such witness.


Such measures may include the following:

- i) avoiding direct or indirect contact between the witness and the accused at any point in the justice process;
- ii) restraint orders, in the facts and circumstances of the case, as deemed necessary;
- iii) protection for a witness by the police or other agencies and safeguarding the whereabouts of the witness from disclosure;
- iv) any other protective measures that the Judge may consider appropriate.

**27. Residual Provisions.-**

Matters concerning which no express provision is made in the Scheme shall be decided by the Court consistent with the interest of the Vulnerable Witnesses without prejudice to the rights of the accused to a fair trial.

By Order of the High Court of Orissa

  
09/03/2022  
Registrar General

Memo No. 679 (150) /date 09.03.2022 .

Copy forwarded to:-

1. All Officers of the Court;
2. The Joint Registrar-cum-Principal Secretary to Hon'ble the Chief Justice;
3. The Additional Deputy Registrar-cum-Addl. Principal Secretary/Assistant Registrar-cum- Senior Secretary/ Secretary to Hon'ble Judges of the Court;
4. All Superintendent/ Section Officers of the Court;
5. The Stamp Reporter/ Addl. Stamp Reporter & Oath Commissioner(s);
6. The Technical Director, NIC, the High Court of Orissa with a request to upload in the Official website of the High Court of Orissa;
7. All Court Master(s);
8. The Peskar, Lawzima Court;
9. Notice Board of the Court;

for information and necessary action.

*AP 09/03/2022*  
Addl. Co-ordinator

Memo No. 685 (32) /date 09.03.2022 .

Copy forwarded to :-

1. All the District Judges of the State with a request to circulate the same amongst the Judicial Officers and the Bar Associations of their respective Judgeships;
2. The Director, Odisha Judicial Academy, Cuttack;
3. The Member-Secretary, OSLSA, Cuttack;

for information and necessary action.

*AP 09/03/2022*  
Addl. Co-ordinator

Memo No. 686 (4) /date 09.03.2022 .

Copy forwarded to the:-

1. Advocate General, Odisha, Cuttack;
2. Secretary, Odisha State Bar Council, Cuttack;
3. President/ Secretary, Orissa High Court Bar Association, Cuttack;

for information and necessary action.

*AP 09/03/2022*  
Addl. Co-ordinator

Memo No. 687 (3) /date 09.03.2022 .

Copy forwarded to the:-

1. Addl. Chief Secretary to Government of Odisha, Home Department, Bhubaneswar;
2. Principal Secretary to Government of Odisha, Law Department, Bhubaneswar;
3. Director General of Police, Odisha, Cuttack;

for information and necessary action.

*AP 09/03/2022*  
Addl. Co-ordinator



## **Appendix-I**

### **Posts created in 2022 by the State Government**

#### **Creation of posts for the establishment of the High Court in the year 2022**

#### **(A) Regular Posts:-**

Sl. No.	Name of the post	No. of posts created	Created vide Home Department , Govt. of Odisha's Letter No. with date
1.	Secretary	6	16411 dated 19.05.2022 (Supporting Staff for 28 <sup>th</sup> to 33 <sup>rd</sup> Judges)
2.	Personal Assistant	6	
3.	Court Master	6	
4.	Junior Stenographer	6	
5.	Driver (Contractual)	6	
6.	Jamadar	6	
7.	Court Peon (Contractual)	6	
8.	Orderly Peon (Contractual)	18	
9.	Mali (Contractual)	6	
10.	Registrar , Records (in the cadre of District Judge)	1	18142 dated 01.06.2022 (For Record Room Digitization Centre)
11.	Deputy Registrar, Records (in the cadre of Senior Civil Judge)	1	
12.	Assistant Registrar, Records (in the cadre of Civil Judge)	2	
13.	Superintendent	1	
14.	Personal Assistant to the Registrar, Records	1	
15.	Assistant Section Officer	4	
16.	Junior Grade Typist (Computer knowing)	4	
17.	Peons	9	29034 dated 25.08.2022 (For Centre for Judicial Archives of Odisha, Cuttack)
18.	Assistant Registrar-cum- E.O.	1	
19.	Superintendent	1	
20.	Section Officer	2	
21.	Personal Assistant	1	
22.	Assistant Section Officer	4	
23.	Junior Grade Typist (Computer knowing)	1	
24.	Diarist	2	

25.	Additional Deputy Registrar (J&E)	1	30464 dated 08.09.2022 (For the High Court Establishment)
26.	Assistant Registrar (Judicial)	1	
27.	Additional Stamp Reporter & Oath Commissioner	2	
28.	Superintendent	10	
29.	Section Officer	20	
30.	Assistant Section Officer	70	
31.	Superintendent of Typist, Level - I	1	
32.	Superintendent of Typist, Level - II	2	
33.	Senior Grade Typist	4	
34.	Junior Grade Typist (Computer knowing)	6	
35.	Junior Librarian	1	30464 dated 08.09.2022 (For the High Court Establishment)
36.	Driver	10	
37.	Junior Stenographer	20	
38.	Class – IV	80	

### (B) Tenure based Posts

Sl. No.	Name of the post	No. of posts created	Created vide Home Department , Govt. of Odisha's Letter No. with date
1.	Director – cum – Officer on Special Duty, Archives	1	14380 dated 01.05.2022 (For Centre for Judicial Archives of Odisha, Cuttack)
2.	Consultant , History	1	
3.	Consultant, Law	1	
4.	Law Researchers	4	
5.	Research Assistant	12	16411 dated 19.05.2022 (For 28 <sup>th</sup> to 33 <sup>rd</sup> Judges) & 18297 dated 02.06.2022 (For the Judges as per the Scheme)

## Appendix-J

### Posts created in 2022 by the State Government

#### **Cadre strength, working strength and vacancy position of the Ministerial Officers and Staff**

In 2022, several posts in different cadres were created by the State Government. While some posts were created in view of establishment of Record Room Digitization Centre and Centre for Judicial Archives, majority of the new posts were created on the basis of a proposal by the High Court made in the year 2019. Proposal for creation of some more posts is awaiting concurrence of the State Government. The group-wise sanctioned strength after creation of posts, working strength and vacancy position of the Ministerial officers and staff are indicated below.

#### Group-A

Sl. No.	Name of post	Sanctioned strength (After creation of posts)	Working strength	Vacancy
1.	Additional Registrar (Estt.)	1	0	1
2.	Joint Registrar (Estt.)	1	0	1
3.	Joint Registrar(Judicial)	1	0	1
4.	Additional Deputy Registrar (J&E)	4*	1	3
5.	Assistant Registrar (Estt.)	1	0	1
6.	Assistant Registrar(Judicial)	5**	2	3
7.	Assistant Registrar(J&E)	1	0	1
8.	Assistant Registrar-cum-E.O.	1***	0	1
9.	Establishment Officer	1	1	0
10.	Stamp Reporter & Oath Commissioner	1	0	1
11.	Additional Stamp Reporter & Oath Commissioner	14****	7	7
12.	Court Officer-Cum-Asst. Registrar	1	1	0
13.	Assistant Registrar(Protocol)	3	0	3
	<b>Total</b>	<b>35</b>	<b>12</b>	<b>23</b>

\* 1 post of Additional Deputy Registrar was created

\*\* 1 post of Assistant Registrar (Judicial) was created

\*\*\* 1 post of Assistant Registrar-cum-E.O. was created

\*\*\*\* 2 posts of Additional Stamp Reporter & Oath Commissioner were created



### Group-B

Sl. No.	Name of post	Sanctioned strength (After creation of posts)	Working strength	Vacancy
1	Superintendent	42*	42	0
2	Section Officer	115**	115	0
3	Section Officer (Translation Branch)	1	0	1
4	Statistical Officer	1	0	1
5	Superintendent (Typist) Level-1	5***	4	1
6	System Analyst	1	0	1
7	Assistant Section Officer	468****	275	193
8	Librarian	1	1	0
9	Superintendent (Typist) Level-II	11*****	7	4
10	Programmer	1	1	0
11	Peripatetic Stamp Reporter	2	2	0
12	Translator	5	4	1
13	Judicial Indexer	1	1	0
14	Head Driver	10	10	0
15	Diary Superintendent	3	0	3
16	Court Manager	2	0	2
	<b>Total</b>	<b>669</b>	<b>462</b>	<b>207</b>

\* 12 posts of Superintendent were created

\*\* 28 posts of Section Officer were created

\*\*\* 1 post of Superintendent (Typist) Level-1 was created

\*\*\*\* 78 posts of Assistant Section Officer were created

\*\*\*\*\* 2 posts of Superintendent (Typist) Level-II were created

### Group-C

The posts of Zamadar, Duftary, Attender, Cook-cum-Caretaker and Mali-cum-Chowkidar at Sl. Nos. 38-42 of the following table were previously under Group-D as per the Rules of the High Court of Orissa (Appointment of Staff and Conditions of Service) Rules, 2019. Subsequently, the Group-C and Group-D cadres have been restructured with the concurrence of the State Government communicated vide letter No. 56860 dated 20.12.2019 and accordingly the said posts came under Group-C. Simultaneously, the sanctioned strength of some posts of Group-C and Group-D were revised. The sanctioned strength, working strength and vacancy of the posts presently coming under Group-C are indicated below.

Sl. No.	Name of post	Sanctioned strength (After restructure & creation of posts)	Working strength	Vacancy
1	Junior Librarian	1*	0	1
2	Senior Grade Typist	36**	6	30
3	Senior Grade Diarist	15	3	12
4	Senior Driver	10	10	0
5	Technical Assistant (Judges' Library)	4	4	0
6	Generator Operator	1	0	1
7	Junior Grade Typist/ D.E.O.	38***	19	19
8	Diarist	37****	29	8
9	Copyist	6	3	3
10	Driver	37*****	18	19
11	Treasury Sarkar	1	1	0
12	Zamadar	91*****	84	7
13	Duftary	33	32	1
14	Attender	8	8	0
15	Cook-cum-Caretaker	6	6	0
16	Mali-cum-Chowkidar	3	3	0
	<b>Total</b>	<b>327</b>	<b>226</b>	<b>101</b>

\* 1 post of Junior Librarian was created

\*\* 4 posts of Senior Grade Typists were created

\*\*\* 11 posts of Junior Grade Typist/ D.E.O. were created

\*\*\*\* 2 posts of Diarist were created

\*\*\*\*\* 16 posts of Driver were created

\*\*\*\*\* 6 posts of Zamadar were created

## GROUP-D

As indicated earlier, the Group-C and Group-D cadres have been restructured with the concurrence of the State Government communicated vide letter No.56860 dated 20.12.2019. As such, the posts of Zamadar, Duftary, Attender, Cook-cum-Caretaker and Mali-cum-Chowkidar, which were earlier posts under Group-D, were included in Group-C. Further, the sanctioned strength of some posts of Group-D and Group-C were revised. Due to such restructuring, for the time being the working strength in posts of Sweeper under Group-D exceeds the present sanctioned strength which will be streamlined with retirement/promotion of the employees of the present incumbents in the post of Sweeper. Besides, as per Rule 9(3) of the High Court of Orissa (Appointment of Staff and Conditions of Service) Rules, 2019 the posts of Sweeper and Sweeper-cum-Farash will be abolished after retirement/promotion of the present incumbents.

Sl. No.	Name of post	Sanctioned Strength (After Re-structure & creation of posts)	Working strength	Vacancy
1	Orderly Peon	143	75	68
2	Class-IV	87	0	87
3	Gate Keeper	1	0	1
4	Mali	25	9	16
5	Night Watchman	3	0	3
6	Farash	7	6	1
7	Sweeper	5	6*	0
8	Sweeper-cum-Farash	1	1	0
9	Permanent Mulia	1	0	1
10	Medical Attendant	1	1	0
	<b>Total</b>	<b>274</b>	<b>98</b>	<b>176</b>

\*The working strength in the post of Sweeper exceeds the sanctioned strength by 1 due to restructure, which will be streamlined with promotion of the present Group-D employee.



**Sanctioned strength, working strength and vacancy position  
of the Secretarial Officers and staff**

**GROUP-A**

Sl. No.	Name of the Post	Sanctioned strength	Working strength	Vacancy
1	Additional Registrar-cum Principal Secretary	1	0	1
2	Joint Registrar-cum- Principal Secretary	1	1	0
3	Additional Deputy Registrar-cum- Additional Principal Secretary	3	2	1
4	Assistant Registrar-cum- Senior Secretary	8	6	2
	<b>Total</b>	<b>13</b>	<b>9</b>	<b>4</b>

**GROUP-B**

Sl. No.	Name of the Post	Sanctioned strength	Working strength	Vacancy
1	Secretary	23*	17	6
2	Personal Assistant	42**	18	24
3	Senior Stenographer	32	13	19
	<b>Total</b>	<b>97</b>	<b>48</b>	<b>49</b>

\* 6 posts of Secretary were created

\*\* 8 posts of Personal Assistant were created

**GROUP-C**

Sl. No.	Name of the Post	Sanctioned strength	Working strength	Vacancy
1.	Junior Stenographer	55*	20	35
	<b>Grand Total:</b>	<b>165</b>	<b>77</b>	<b>88</b>

\* 26 posts of Junior Stenographer were created

**Sanctioned strength, working strength and vacancy position of the Officers and staff on deputation from the Government**

Sl. No.	Name of the Post	Group	Sanctioned strength	Working strength	Vacancy
1	Chief Accounts Officer	A	1	1	0
2	Orissa High Court Dispensary				
	a) Medical Officer	A	1	1	0
	b) Physiotherapist	B	1	1	0
	c) Pharmacist	C	1	1	0
	d) Junior Laboratory Technician(Path)	C	1	1	0
	e) Health Worker (Female)	C	1	1	0
3	Orissa High Court Homeopathy Dispensary				
	a) Homeopathy Medical Officer	B	1	1	0
	b) Homeopathy Assistant	C	1	1	0
<b>Total:</b>			<b>8</b>	<b>8</b>	<b>0</b>

**Sanctioned strength, working strength and vacancy position of the e-Courts Project staff**

Sl. No.	Name of the Post	Sanctioned strength	Working strength	Vacancy
1.	Senior System Officer	2	1	1
2.	System Officer	24	18	6
3.	System Assistant	48	30	18
<b>Total</b>		<b>74</b>	<b>49</b>	<b>25</b>

**Sanctioned strength, working strength and vacancy position of the Centre for Judicial Archives of Odisha**

Sl. No.	Name of the Post	Sanctioned strength	Working strength	Vacancy
1.	Director-cum-OSD	1	1	0
2.	Consultant, History	1	0	1
3.	Consultant, Law	1	1	0
4.	Law Researchers	4	2	2
<b>Total</b>		<b>7</b>	<b>4</b>	<b>3</b>

**Sanctioned strength, working strength and vacancy position of the posts carrying Consolidated Pay/Honorarium**

Sl. No.	Name of the Post	Sanctioned strength	Working strength	Vacancy
1.	Law Reporter	1	1	0
2.	Research Assistant	49	8	41
4.	Assistant Editor	1	0	1
	<b>TOTAL</b>	<b>51</b>	<b>9</b>	<b>42</b>

**Sanctioned strength, working strength and vacancy position of the posts carrying remuneration for copying out documents**

Sl. No.	Name of the Post	Sanctioned strength	Working strength	Vacancy
1.	Remunerated Copyist	6	0	6



## **Appendix-K**

### ***Scheme for Promising Lawyer of the Year Award High Court Of Orissa, Cuttack***

Whereas, the High Court of Orissa with a view to encouraging young lawyers practising in the District Courts including the outlying stations of the Districts, has decided to institute an Award namely 'Promising Lawyer of the year Award';

And whereas, a Draft Scheme approved by the High Court for the said Award was circulated among all the Bar Associations of the Districts through the concerned District Judges seeking their views and comments, which have since been received;

And whereas, upon consideration of such views and comments, the High Court of Orissa, in order to regulate the procedure of submission of applications, the manner of recommendation for such Award and selection of the best Lawyer from amongst the candidates, do hereby notify the following Scheme:

1. The Scheme shall be called, "Promising Lawyer of the Year Award Scheme" and it shall come into force from the date of its notification.
2. Features of the Award:
  - i. The Award shall be an annual Award and shall be in the form of a collection of books worth ₹ 10, 000/-, along with a certificate and a memento.
  - ii. The work of a Lawyer for the entire calendar year from 1<sup>st</sup> January, to 31<sup>st</sup> December, shall be evaluated by the Jury. For instance, for the year 2022, the work of the Lawyer for the period 1<sup>st</sup> January, 2021 to 31<sup>st</sup> December, 2021 shall be evaluated.
  - iii. The Award shall ordinarily be presented on "Lawyer's Day" every year. However, in 2022 the Award shall be presented on the 'Foundation Day' of the High Court i.e., 26<sup>th</sup> July, 2022.
  - iv. In a given year, only one Lawyer per District including the outlying stations, shall be chosen by the Jury for the Award.
  - v. The High Court shall announce every year the schedule and dates of inviting applications, last date of receipt of the applications, date of receiving the recommendations of the Jury and the date of announcement of the Award.

### **3. Eligibility:**

- i. The Lawyer must be an enrolled member of Odisha State Bar Council and a member of the local Bar Association.
- ii. The Lawyer must be a practicing lawyer either in a District Court or in any outlying station of that district.
- iii. The age of the Lawyer must not be less than 30 years and more than 40 years. In an

exceptional case, a Lawyer below 30 years, but not below 28 years, may be considered but adequate justification shall be furnished by the Jury, in writing, in support of such recommendation. The age of the Lawyer shall be determined as on 1<sup>st</sup> day of January of the year, for which the Award is given. For instance, for the year 2022 the age shall be determined as on 1<sup>st</sup> January, 2022.

- iv. The Lawyer, who has won the Award in a particular year, shall not be eligible for being considered for the Award in the succeeding years.
- v. The Lawyer must not be related in the first degree to any sitting Judge of the High Court or any Judicial Officer in that district. A declaration to this effect shall be furnished by the Lawyer, along with the application in Form-I, annexed to the Scheme.
- vi. The Lawyer shall furnish certificates from two local lawyers of not less than 10 years of experience to be known as referees. The certificates of the referees for the Award should be in separate letters, certifying in three short paragraphs in Form-II, annexed to the Scheme the conduct, court etiquette, general reputation and integrity of the lawyer. The referee shall not be a current office bearer of the local Bar Association or related in the first degree to the Lawyer.
- vii. A referee shall not give a certificate for more than 3 applicants.

#### **4. Jury:**

The Jury in every District shall comprise of:

- (i) The District Judge
- (ii) The Chief Judicial Magistrate
- (iii) Three senior members of the Bars from the entire District including the outlying stations having experience of 20 years or more, to be nominated by the District Judge concerned. Preferably, one such senior member of the Bar shall be a woman, wherever available.
- (iv) If an applicant Lawyer is related in the first degree to a member of the Jury or has been his/her associate lawyer at any point of time, the said Jury member shall not participate in selection process for that applicant Lawyer.
- (v) The recommendation of the Jury must be unanimous.
- (vi) The Jury in a district shall recommend to the High Court, one among those who qualify best in that particular District, including the outlying stations, for the Award. For the purpose of qualifying, a candidate shall have to secure minimum 50 points. The Jury can also gather inputs from a variety of sources for finalizing its decision. Each Jury member shall submit the evaluation in Form-III, annexed to the Scheme.

#### **5. Selection Criteria:**

In order to qualify for the Award, the following parameters shall be considered by the Jury:

- (i) The number of cases handled by the Lawyer independently during the year;
  - (ii) The number of judgments/final orders in contested cases, during the year, handled independently by the Lawyer;
  - (iii) The Lawyer should have conducted at least one trial in a civil or in a criminal case entirely by himself/herself, during the year by appearing for any party i.e., Plaintiff, Defendant, Accused or for the Prosecution or even for the Complainant/ Victim.
  - (iv) A trial shall be considered complete only when the final judgment/order is pronounced
  - (v) The information in clauses (i) to (iv) above shall be provided by the lawyer in Annexure-A to Form-I, annexed to the Scheme and shall be accompanied by self-attested documents which shall be verified by the Office of the District Judge. If any information provided in any of the Forms annexed to this Scheme is found to be false or incorrect, at any point of time, it shall disqualify the Lawyer for the Award.
  - (vi) The conduct, Court etiquette, general reputation and integrity of the Lawyer.
6. It is possible that in a particular calendar year (1st January to 31<sup>st</sup> December) no Lawyer from a particular District fulfils the above parameters. The Award is not to be given for the sake of being given. It must be given only to a Lawyer who truly satisfies all the above requirements.
  7. A Committee of Judges of the High Court constituted by the Chief Justice shall examine the recommendations of the Jury in each District whereupon the matter shall be placed before the Chief Justice with the views of the Committee. The announcement of the Award will be made by the Chief Justice, whose decision shall be final.

**BY ORDER OF THE HIGH COURT  
CO-ORDINATOR, ARBITRATION CENTRE**



## FORM-I

[Clause 3(v) of the Scheme]

### APPLICATION FORM FOR THE PROMISING LAWYER OF THE YEAR AWARD

Space for  
recent  
Colored  
passport size  
photograph

1. Award for the year: \_\_\_\_\_
2. Name of the Lawyer Applicant: \_\_\_\_\_  
(in capital letters)
3. Gender : Male/Female/Third gender
4. Odisha State Bar Council enrolment No. with date:  
(Copy of the enrolment certificate shall be enclosed) \_\_\_\_\_
5. Local Bar Association membership No. \_\_\_\_\_
6. Ordinary place of practice: \_\_\_\_\_
7. Date of birth:  
(Date)/(Month)/(Year)  
(authenticated document shall be enclosed) \_\_\_\_\_
8. Address for correspondence:

9. Telephone/mobile number: \_\_\_\_\_

10. e-mail ID (if any): \_\_\_\_\_

11. (a) Number of cases handled independently  
by the applicant Lawyer during the year. \_\_\_\_\_

(b) Number of judgments/final orders in contested cases,  
during the year, handled independently  
by the applicant Lawyer. \_\_\_\_\_

(c) Number of trials (Civil/Criminal) conducted by the  
applicant Lawyer by himself/herself during the year. \_\_\_\_\_

(The Case numbers and Court's name be indicated  
in a separate format as at **Annexure-A** of this application)

{Self-attested proof in support of the information supplied in (a), (b) & (c) be enclosed}

#### **DECLARATION**

I, Mr/Miss/Mrs. \_\_\_\_\_ son/daughter/wife of Shri  
\_\_\_\_\_ do hereby declare that the information furnished  
above are true to the best of my knowledge. I do further declare that I am not related in the  
first degree to any sitting Judge of the High Court or any Judicial officer in that district. Given  
on this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Date:

Place :

**Signature of the Applicant**

## ANNEXURE-A

1. Case details as per the information supplied at Para-11(a) of the Application Format:

Case No.	Name of the Court in which cases independently handled.	Name of the Parties represented by the Lawyer independently.

2. Case details as per the information supplied at Para-11(b) of the Application Format:

Case No.	Name of the Court	Name of the Parties represented by the Lawyer independently.	Date of the Final Order/ Judgment in the contested cases.

3. Case details as per the information supplied at Para-11(c) of the Application Format:

Case No.	Name of the Court in which the trial (civil/criminal) was conducted.	Name of the Parties for whom the applicant was the lawyer himself/ herself.	Date of the Final Order/ Judgment in the contested cases.



## FORM-II

[Clause 3(vi) of the Scheme]

### CERTIFICATE BY THE REFEREE LAWYER REGARDING THE COURT ETIQUETTE, GENERAL REPUTATION AND INTEGRITY OF THE APPLICANT LAWYER

I, Mr./Miss/Mrs. \_\_\_\_\_ do hereby certify that:

Three short paragraphs on  
the Court etiquette, general  
reputation and integrity of  
the applicant lawyer.

#### DECLARATION

I, Mr/Miss/Mrs. \_\_\_\_\_  
son/daughter/wife of \_\_\_\_\_ and a member  
of \_\_\_\_\_ Bar Association, do hereby declare  
that I am neither a current office bearer of the local Bar Association nor related in the first  
degree to the applicant Lawyer.

**Signature of the Referee Lawyer**

## FORM-III

[Clause 4 (vi) of the Scheme]

Sl No.	Name of the candidate	No. of cases handled independently during the year (20 points)	No. of completed trials handled by him/her independently (20 points)	No. of judgments /final orders in contested cases handled independently (20 points)	Court etiquette, general reputation & integrity (20 points)	Interaction (20 points)	Total

**Evaluation Sheet for the members of the Jury**

**Signature of the Member**

## Appendix-L

### Budgetary allocation and expenditure of the High Court

Budget of the High Court (Comparative Status)			
	2020-21 (Rs.)	2021-22 (Rs.)	2022-23 (Rs.)
Plan	13,71,74,000	25,81,98,506	28,53,78,000
Non-plan	117,72,32,000	1,48,84,96,000	182,11,93,000
Total	131,44,06,000	176,66,94,506	210,65,71,000

Budgetary Allocation and expenditure for Infrastructure Development of the High Court for the period 1st April 2022 to 31st December, 2022			
Sl. No.	Heads of account	Amount sanctioned (in Rs.)	Amount utilized (in Rs.)
1	Non-Residential	37,29,34,000	29,29,82,000
2	Residential	5,11,31,000	5,11,31,000
	<b>Total</b>	<b>42,40,65,000/-</b>	<b>34,41,13,000</b>

Budgetary allocation and expenditure for Establishment of the High Court for the period 1st April 2022 to 31st December, 2022			
Sl. No.	Heads of account	Amount sanctioned (in Rs.)	Amount utilized (in Rs.) from 1st April, 2022 to 31st December, 2022
1	Administrative expenses	182,11,93,000* (2022-23)	93,05,71,000

**\*Break-up of administrative expenses for the period 1st April, 2022 to 31st December, 2022**

Pay & allowances	Rs.68,45,03,000/-
Electricity	Rs.2,86,42,000/-
Telephone (incl. FTTH connection costing Rs. 5 cr)	Rs.6,05,59,000/-
Purchase of Motor vehicle and maintenance	Rs.1,91,71,000/-
Upgradation of computer and maintenance	Rs.5,26,37,000/-
Other Contingencies	Rs.8,50,59,000/-

## Appendix-M

### Correspondence regarding the establishment of a Centre for Judicial Archives

**Dr. S. Muralidhar**  
Chief Justice



**High Court of Orissa**

**25<sup>th</sup> March, 2022**

*Dear Chief Minister,*

Aware of your keen interest in preserving the heritage and historical landmarks in Odisha, I am placing before you a proposal for preserving the heritage and history of the judiciary in Odisha. The idea of having a project for documenting the judicial history of Odisha took seed in the first half of 2021 when we began concerted efforts to streamline the preservation of old case records both in the High Court as well as four District Courts in Sambhalpur, Balasore, Cuttack and Ganjam. That process led to the serendipitous discovery of documents dating back to the early 19<sup>th</sup> century, which were in a reasonably readable condition, though fragile. A sampling of these documents gave valuable insights into the functioning of the judiciary and of the problems brought before the courts during those times.

The case records of the High Court of Orissa include the old judicial records of three other High Courts: at Calcutta, Patna and Madras. They also include records belonging to the erstwhile High Courts of the princely states of Mayurbhanj, Sonapur and so on. The treasure-trove of historical information contained in the records requires careful physical handling and treatment using the latest scientific techniques before the information is properly identified, collated, preserved and made accessible to researchers and scholars. This would be one limb of the proposed project on the judicial history of Odisha.

Archiving of judicial records would be another major limb of the project. As a preliminary step, old judicial records of pre-1950 vintage have been segregated and kept in separate locations within the District

**Page 1 of 3**

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Cantonment Road, Cuttack 753001  
Ph: 0671-2507808(O), 2301505 (R)





Court complexes. As far as the High Court is concerned, these fragile records are kept in a separate room in the Record Room Digitization Centre (RRDC), which is a state-of-the-art facility where records of disposed of cases are currently being preserved and digitized. The High Court has consulted the Intach Conservation Institute, Bhubaneswar on how it should go forward with the task of handling, preserving and digitizing the old fragile case records. The High Court has also consulted the Piloo Mody College of Architecture (PMCA), Cuttack on how the space for handling of fragile records can be appropriately reconfigured for the task on hand. Both Intach and PMCA have jointly prepared the enclosed project report which addresses both the issue of preservation of old fragile records at the High Court of Orissa's RRDC and revamping the Museum of the High Court in Cuttack which is intended to showcase the heritage and history of the judiciary in Odisha.

The third element is the identification of court buildings, court room and judicial structures, landmarks and artefacts of judicial historical importance. It is proposed to identify and declare them as having 'heritage' value and preserving them as such or recreating them in a 'Museum of Justice'.

The joint report of PMCA and Intach includes estimates of the initial outlay for establishing the Judicial Archives Centre and revamping the Museum. As far as the Judicial Archive Centre is concerned, it is proposed that it be headed by a person with sufficient and appropriate experience in preservation and retrieval of old records, assisted by two senior level scholars, one from the field of history/archives and the other from the legal discipline with focus on judicial history. Further, the services of at least four Law Researchers (young law graduates) to examine the judicial records and identify those which are of historical

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**Dr. S. Muralidhar**  
Chief Justice



**High Court of Orissa**

importance would be required in the next layer. It is also proposed that on a regular basis at least eight law students would assist the project as interns for short periods.

The support of the State Government for the three initiatives viz. (i) the establishment, within the RRDC, of a Centre for Judicial Archives with all modern facilities, (ii) the revamping of the Museum of Justice and (iii) the Odisha Judicial History project in general would require the financial, infrastructural, and personnel support of the State Government.

I would be happy to hear from you on the above proposal.

*Warm regards,*

Yours sincerely,

(S. Muralidhar)

**Shri Naveen Patnaik,**  
**Hon'ble the Chief Minister of Odisha,**  
**Naveen Niwas,**  
**Bhubaneswar.**

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**NAVEEN PATNAIK**  
**CHIEF MINISTER, ODISHA**



**LOKASEVA BHAVAN**  
**BHUBANESWAR**

**DO NO.UM- 9512022-8 ICM**  
**Date: 02.04.2022**

*Dear Dr. Muralidhar ji.*

I am in receipt of your letter dated 25th March, 2022. I have seen your proposals for the establishment of a Centre for Judicial Archives within RRDC, the revamping of the Museum of Justice and the Odisha Judicial History Project.

Preserving the heritage and history of Odisha is one of our stated priorities and I assure that the State Government will extend all the support to realise these important projects. I am asking the Chief Secretary to take necessary further steps in this regard in consultation with the officials concerned.

With regards,

Yours sincerely,

(NAVEEN PATNAIK)

**DR. JUSTICE S. MURALIDHAR,**  
**Chief Justice, High Court of Orissa**  
**Cuttack.**

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Phone : Office : 0674-2531100, 2531500, 2535100 (Fax)  
Residence : 0674-2591099, 2590299, 2590833 (Fax)



## Appendix-N

### Notification No. 14380 dated 1<sup>st</sup> May, 2022 of Home Department, Government of Odisha for setting up the Centre for Judicial Archives of Odisha

GOVERNMENT OF ODISHA  
HOME DEPARTMENT

\*\*\*\*

#### NOTIFICATION

Bhubaneswar dated the 01.05.2022

HOME-HC- MISC- 0003-2022 14380 /HS, In pursuance of Letter No. 03/RG, dated 12.04.2022 and No. 04/RG, dated 26.04.2022 of the Hon'ble High Court of Orissa, Cuttack, the "Centre for Judicial Archives of Odisha" is hereby established w.e.f. 01.05.2022 with the following posts.

1. Director-cum-Officer on Special Duty, Archives - one post
2. Consultant, History - one post
3. Consultant, Law - one post
4. Law Researchers - four posts.

By order of the Governor

*M. Mallik*  
1.5.2022

M. Mallik

OSD-cum-Additional Secretary to Government

Memo No. 14381 /HS, dated 01.05.2022

Copy forwarded to the Director, Printing, Stationery & Publication, Odisha, Cuttack for information and publication in the next issue of Odisha Gazette.

*M. Mallik*  
1.5.2022

OSD-cum-Additional Secretary to Government

Memo No. 14382 /HS, dated 01.05.2022

Copy forwarded to the A.G. (A&E), Odisha, Bhubaneswar/ Principal Secretary to Government, Finance Department/ Principal Secretary to Government, Law Department for information and necessary action.

*MW*  
*1-5-2022*

OSD-cum-Additional Secretary to Government

Memo No. 14383 /HS, dated 01.05.2022

Copy forwarded to PS to Hon'ble Chief Minister, Odisha for kind appraisal of the Hon'ble Chief Minister.

*MW*  
*1-5-2022*

OSD-cum-Additional Secretary to Government

Memo No. 14384 /HS, dated 01.05.2022

Copy forwarded to the OSD to Chief Secretary, Odisha for kind appraisal of the Chief Secretary.

*MW*  
*1-5-2022*

OSD-cum-Additional Secretary to Government

Memo No. 14385 /HS, dated 01.05.2022

Copy forwarded to the Registrar General, Orissa High Court, Cuttack (BY FAX) with reference to his Letter No. 04/RG. dated 26.04.2022 for information and necessary action.

The Registrar General, Orissa High Court, Cuttack is requested to furnish a detailed proposal in respect of Creation of posts, emoluments/ honorariums and other perks and privileges etc. attached to the said posts in a schematic manner so as to take a decision in the matter in consultation with Finance Department.

*MW*  
*1-5-2022*

OSD-cum-Additional Secretary to Government

## Appendix-O

### Case statistics of the District Courts for 2022

#### Institution, Disposal, Pendency and Case Clearance Rate in the District Courts of Odisha

from 01.01.2022 to 31.12.2022

Month	Opening Balance			Institution			Disposal			Pendency			Case Clearance Rate of disposal w.r.t. institution		
	Civil	Criminal	Total	Civil	Criminal	Total	Civil	Criminal	Total	Civil	Criminal	Total	Cvl	CrI	Total
January	362945	1426732	1789677	6715	33916	40631	3350	15241	18591 *	366267	1444762	1811029	49.89	44.94	45.76
February	366267	1444762	1811029	5793	28246	34039	2898	12490	15388 *	369162	1460518	1829680	50.03	44.22	45.21
March	369162	1460518	1829680	7178	31865	39043	9985	23274	33259	366355	1469109	1835464	139.11	73.04	85.19
April	366355	1469109	1835464	7609	28816	36425	7352	18858	26210	366612	1479067	1845679	96.62	65.44	71.96
May	366612	1479067	1845679	8243	38178	46421	9503	29406	38909	365352	1487839	1853191	115.29	77.02	83.82
June	365352	1487839	1853191	5705	33356	39061	3944	19411	23355	367113	1501784	1868897	69.13	58.19	59.79
July	367113	1501784	1868897	8633	37438	46071 #	8658	23253	31911	366918	1515935	1882853	100.29	62.11	69.26
August	366918	1515935	1882853	7740	52884	60624 #	11911	95588	107499**	362747	1473231	1835978	153.89	180.75	177.32
September	362747	1473231	1835978	8003	39083	47086	9764	26780	36544	360986	1485534	1846520	122.00	68.52	77.61
October	360986		1846520	5620	33268		6665	18447	25112 ***	359941	1500355	1860296	118.59	55.45	64.58
November	359941	1500355	1860296	7186	64929	72115 ^	11092	79863	90955 ^	356023	1485192	1841215	154.36	123.00	126.12
December	356023	1485192	1841215	7598	44946	52544	8650	59009	67659 ^^	354971	1471129	1826100	113.85	131.29	128.77
Total				86,023	4,66,925	5,52,948	93,772	4,21,620	5,15,392						

Institution of Criminal cases increased due to filing of 90,393 nos. of cases under M.V.Act as a result of automatic challan based on CCTV image capture.

\* Disposal in the months of January & February decreased due to cease work.

\*\* Disposal in the month of August increased due to Lok Adalat held on 13.08.2022 .

\*\*\* Disposal in the month of October decreased due to Less no. of working days owing to Durga Puja Holidays.

# Institution of cases increased due to filing of more cases than the previous month in different judgeships.

^ Increase in institution which also corresponds to increase in disposals in this month due to transfer of cases from courts having original jurisdiction to the 25 newly functional cognizance taking courts.

^^ Disposal in the month of December increased due to withdrawal of Forest and Excise cases.

Total average working days in District courts for the month of December, 2022 is 21.10 days.

One working day consists of 6 working hours.

Average loss of working days in 2022 (till 31st December) is 47.90 days due to cease work.

Average working strength of judicial officers against average sanctioned strength of 982 in 2022 (till 31st December) is 774.

So, cumulative loss of judicial hours of all Courts (till 31<sup>st</sup> December) is 6 x 47.90 x 774 = 2,22,447.6 hours .



SUBORDINATE COURT PENDENCY from 01.01.2022 to 31.12.2022												
Name of the Judgeship	Opening balance as on 01.01.2022			Institution from 01.01.2022 to 31.12.2022			Disposed of from 01.01.2022 to 31.12.2022			Pending cases as on 31.12.2022		
	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total
Angul	9631	76642	86273	2493	22705	25198	2685	17928	20613	9439	81419	90858
Balasore	38882	89526	128408	10279	14873	25152	9537	18947	28484	39454	85418	124872
Bargarh	6287	44088	50375	1552	8815	10367	1621	7060	8681	6218	45843	52061
Bhadrak	30523	64279	94802	4402	13248	17650	5125	10355	15480	29757	66527	96284
Bolangir	6840	39830	46670	1811	16255	18066	1900	14018	15918	6751	42067	48818
Boudh	1164	12713	13877	472	6172	6644	453	2965	3418	1183	15920	17103
Cuttack	40576	130984	171560	9755	54345	64100	10118	26625	36743	40213	158704	198917
Deogarh	855	14080	14935	413	4294	4707	425	3819	4244	843	14555	15398
Dhenkanal	9309	34814	44123	2274	10098	12372	2765	9850	12615	8818	35062	43880
Gajapati	584	10597	11181	392	4952	5344	395	6668	7063	581	8881	9462
Ganjam	14079	72798	86877	6286	41744	48030	8560	40717	49277	11805	73825	85630
Jagatsinghpur	12453	32591	45044	3294	8834	12128	4430	8195	12625	11317	33230	44547
Jajpur	23039	60623	83662	3991	11926	15917	3756	6282	10038	23274	66267	89541
Jharsuguda	4184	35838	40022	1228	19876	21104	1736	18588	20324	3676	37126	40802
Kalahandi	4452	40235	44687	1752	11183	12935	2132	11245	13377	4072	40173	44245
Kendrapara	19025	38667	57692	2903	8288	11191	3352	4735	8087	18576	42220	60796
Keonjhar	8700	42289	50989	2502	23551	26053	1908	21284	23192	9294	44556	53850
Khurda	54594	136528	191122	9818	46101	55919	8590	40800	49390	55810	141600	197410
Koraput	3899	35437	39336	990	9430	10420	1155	10826	11981	3734	34041	37775
Malkanagiri	376	10677	11053	292	7126	7418	246	7852	8098	422	9951	10373
Mayurbhanj	13062	56130	69192	3330	15113	18443	3902	15959	19861	12490	55284	67774
Nabarangpur	1172	28030	29202	387	3914	4301	469	7097	7566	1090	24847	25937
Nayagarh	4922	28147	33069	1795	6897	8692	2023	10359	12382	4694	24685	29379

## SUBORDINATE COURT PENDENCY from 01.01.2022 to 31.12.2022

Name of the Judgeship	Opening balance as on 01.01.2022			Institution from 01.01.2022 to 31.12.2022			Disposed of from 01.01.2022 to 31.12.2022			Pending cases as on 31.12.2022		
	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total
Nuapada	2791	15976	18767	803	5174	5977	832	4224	5056	2762	16926	19688
Phulbani	949	16898	17847	411	7456	7867	444	8969	9413	916	15385	16301
Puri	25269	61605	86874	4279	14451	18730	5439	13904	19343	24109	62152	86261
Raygada	1793	17907	19700	747	5336	6083	802	4231	5033	1738	19012	20750
Sambalpur	8437	74943	83380	1890	17534	19424	3094	20496	23590	7233	71981	79214
Sonepur	3422	19058	22480	664	8296	8960	1063	5169	6232	3023	22185	25208
Sundargarh	11676	84802	96478	4818	38938	43756	4815	42453	47268	11679	81287	92966
<b>TOTAL</b>	<b>362945</b>	<b>1426732</b>	<b>1789677</b>	<b>86023</b>	<b>466925</b>	<b>552948</b>	<b>93772</b>	<b>421620</b>	<b>515392</b>	<b>354971</b>	<b>1471129</b>	<b>1826100</b>

N. B.

1. The Closing Balance of Bhadrak Judgeship decreases by 688 cases due to Physical Verification. (Civil - 43 cases, Criminal -645 cases) in the month of January, 2022.
2. The Closing Balance of Family Court, Balasore decreases by 204 cases due to Physical Verification. (Civil - 170 cases, Criminal - 34 cases) in the month of July, 2022.
3. The Closing Balance of Family Court, Khurda decreases by 241 cases due to Physical Verification. (Civil - 12 cases, Criminal - 229 cases) in the month of November, 2022.

**Total discrepancy: Pendency of Civil cases decreased by 225 cases and Pendency of Criminal cases decreased by 908 cases.**

### Comparative figures of Institution & Disposal of 2021 & 2022

Months	2021		2022		Comparative rate of increase in disposal with previous year in percentage
	Institution	Disposal	Institution	Disposal	
January	35749	13170	40631	18591	41.16
February	37151	18577	34039	15388 *	-17.17
March	40775	19411	39043	33259	71.34
April	31497	19488	36425	26210	34.49
May	17134	7284	46421	38909 **	434.17
June	27009	12308	39061	23355	89.75
July	42099	15090	46071	31911	111.47
August	39422	17538	60624	107499 #	512.95
September	49535	34622	47086	36544	5.55
October	32953	20587	38888	25112	21.98
November	36045	25587	72115 ^	90955 ^	255.47
December	45441	34926	52544	67659 ^^	93.72
<b>TOTAL</b>	<b>4,34,810</b>	<b>2,38,588</b>	<b>5,52,948</b>	<b>5,15,392</b>	<b>116.02</b>
* Less disposal in February - 2022 as Bar members are attending only urgent matters due to Covid -19 restrictions.					
** Less disposal in May - 2021 due to Covid -19 restrictions.					
# Disposal in the month of August increased due to Lok Adalat held on 13.08.2022 .					
^ Increase in institution which also corresponds to increase in disposals in this month due to transfer of cases from courts having original jurisdiction to the 25 newly functional cognizance taking courts.					
^^ Disposal in the month of December increased due to withdrawal of Forest and Excise cases.					

### No. of Judgments delivered / pronounced from 01.01.2022 to 31.12.2022

Sl No.	Name of the Court	Civil			Criminal		
		Contested	Un-Contested	Total	Contested	Un-Contested	Total
1	Angul	429	493	922	2326	335	2661
2	Balasore	895	548	1443	3044	101	3145
3	Bargarh	467	928	1395	1852	2634	4486
4	Bhadrak	379	126	505	1532	57	1589
5	Bolangir	374	287	661	2149	1548	3697
6	Boudh	85	27	112	758	10	768
7	Cuttack	1750	1645	3395	4273	19236	23509



8	Deogarh	99	47	146	557	14	571
9	Dhenkanal	841	349	1190	2389	44	2433
10	Gajapati	114	121	235	1231	73	1304
11	Ganjam	1192	466	1658	5791	32	5823
12	Jagatsinghpur	518	114	632	1866	31	1897
13	Jajpur	808	1395	2203	2227	1391	3618
14	Jharsuguda	342	615	957	1234	2997	4231
15	Kalahandi	462	267	729	3581	1857	5438
16	Kendrapara	408	179	587	1866	186	2052
17	Keonjhar	339	523	862	2755	645	3400
18	Khurda	1056	1005	2061	2934	10406	13340
19	Koraput	418	152	570	3350	50	3400
20	Malkanagiri	72	45	117	1073	988	2061
21	Mayurbhanj	1115	1157	2272	3858	631	4489
22	Nabarangpur	175	90	265	2091	12	2103
23	Nayagarh	587	142	729	1916	22	1938
24	Nuapada	272	128	400	1391	443	1834
25	Phulbani	128	44	172	1824	4	1828
26	Puri	640	3219	3859	2839	7990	10829
27	Raygada	199	391	590	2080	73	2153
28	Sambalpur	619	475	1094	1924	92	2016
29	Sonepur	76	146	222	669	1470	2139
30	Sundargarh	527	1348	1875	2728	7925	10653
<b>TOTAL</b>		<b>15386</b>	<b>16472</b>	<b>31858</b>	<b>68108</b>	<b>61297</b>	<b>129405</b>
<b>GRAND TOTAL (CIVIL +CRIMINAL)</b>					<b>161263</b>		

## **Appendix-P**

### **Scheme and Evaluation sheet for Best Performing District**

#### ***Evaluation sheet for Best Performing Districts Judicial Side***

Sl. No.	Parameters	Points awarded out of 10 by the respective Administrative Judges (each parameter carries 10 points)
1	Availability of Counsellors, legal aid and the whole ambience of the Family Court.	
2	Number and types of Legal Aid activities and success story, if any.	
Sl. No.	Parameters	Points awarded out of 10 by the Registry (each parameter carries 10 points)
1	Updation of the District Court Website.	
2	Distribution of cases amongst the Officers.	
3	Awarding compensation under Victim Compensation Scheme, 2012.	
4	Measures taken under Witness Protection Scheme, 2018.	
5	Disposal figure of <ul style="list-style-type: none"> <li>• year-old cases,</li> <li>• cases under POCSO Act,</li> <li>• rape,</li> <li>• murder,</li> <li>• cases under Family Court Act,</li> <li>• different appeals,</li> <li>• MACT cases etc.</li> </ul>	
6	Use of <ul style="list-style-type: none"> <li>• Virtual Courts,</li> <li>• VWDC,</li> <li>• number of cases filed through e-filing,</li> <li>• fine amount deposited through e-payment, the number of paperless Courts,</li> <li>• prompt uploading of judgements and orders on NJDG portal and</li> <li>• use of ICT in Courts.</li> </ul>	
7	Number of contested judgements delivered.	
8	Number of references for mediations and successful mediations.	
9	Number of Lok Adalats held and the disposal figure.	

### *Infrastructural Aspects*

Sl. No.	Parameters	Points awarded out of 10 by the respective Administrative Judges (each parameter carries 10 points)
1	Installation of <ul style="list-style-type: none"> <li>• a guide map,</li> <li>• availability of reception centre/ facilitation centre.</li> <li>• document filing counter for navigation.</li> </ul>	
2	Cleanliness and beautification of the Court Complex.	
3	Designated waiting areas for the litigants and general public.	
4	Safe drinking water facilities for the litigants.	
5	Facilities for children in the court area including crèches.	
6	Existence of <ul style="list-style-type: none"> <li>• good canteen,</li> <li>• ATM,</li> <li>• bank facility,</li> <li>• post office and</li> <li>• vehicle parking zone in the court area.</li> </ul>	
7	Availability of Medical help.	
8	Disaster Management Plan and the readiness of the employees to tackle emergencies.	
9	Maintenance of proper hygiene in washrooms for litigants, visitors & advocates segregated by gender.	
10	Provision for <ul style="list-style-type: none"> <li>• a barrier free access,</li> <li>• ramps,</li> <li>• lifts,</li> <li>• visual aid features,</li> <li>• bilingual signage,</li> <li>• location map at the entrance and in each floor of the Court Complex,</li> </ul> availability of public transport to reach the court complex.	
11	Functioning of electronic case display board showing the court rooms, sitting of Judges and ongoing cases with numbers.	
12	Maintenance of Record Rooms and Store House (Malkhana).	
13	Availability of complaint box/suggestion box.	



14	Facilities for Bar in terms of <ul style="list-style-type: none"> <li>• good food in the canteen,</li> <li>• e-library,</li> <li>• parking space,</li> <li>• locker's availability,</li> <li>• consultation room etc.</li> </ul>	
15	Facilities of Moharirs/Advocate Clerks.	
16	Other Socio-legal activities / facilities.	
17	Facilities for the stakeholders of Juvenile Justice Boards.	

Sl. No.	Parameters	Points awarded out of 10 by the respective Administrative Judges (each parameter carries 10 points)
1	Digitization of old case records.	
2	Digitisation of Library and its maintenance.	

### *Administrative Side*

Sl. No.	Parameters	Points awarded out of 10 by the respective Administrative Judges (each parameter carries 10 points)
1	Timely recruitment of employees.	
2	Timely promotion of staff through DPC.	
3	Utilisation of funds in time.	
4	Safety and security of the Court Complex during and beyond the office hour.	
5	Meeting of Judicial Officers to discuss on the pendency and disposal of cases.	
6	Study Circle of Judicial officers.	
7	Sensitising the junior Officers mostly on their attitude and behaviour towards seniors, colleagues, advocates, staff and litigants.	
8	Hands on training and holding seminars with the advocates of the Bar.	
9	Farewells organized for retiring staff/ Judicial Officers.	

Sl. No.	Parameters	Points awarded out of 10 by the Registry (each parameter carries 10 points)
1	Rationalising the staff and other resources in the Courts.	
2	Prompt disposal of the Disciplinary Proceedings of the employees.	
3	Percentage of attendance of Judicial Officers and staff.	

## Appendix-Q

Orders dated 12<sup>th</sup> and 14<sup>th</sup> December, 2022 of the Supreme Court of India in TP(C) No. 2419 of 2019 M/s PLR Projects Pvt. Ltd. v. Mahanadi Coalfields Ltd.

### Part-1

1

ITEM NO.22

COURT NO.2

SECTION XVI-A

#### S U P R E M E C O U R T O F I N D I A RECORD OF PROCEEDINGS

MISCELLANEOUS APPLICATION Diary No(s). 33859/2022 in  
T.P.(C) No. No. 2419/2019

M/S PLR PROJECTS PVT. LTD.

Petitioner(s)

VERSUS

MAHANADI COALFIELDS LIMITED & ORS.

Respondent(s)

IA No. 159953/2022 - CLARIFICATION/DIRECTION)

Date : 12-12-2022 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL  
HON'BLE MR. JUSTICE ABHAY S. OKA

For Petitioner(s)

Mr. Arvind P. Datar, Sr. Adv.  
Mr. Sibbo Sankar Mishra, AOR  
Mr. Niranjan Sahu, Adv.  
Mr. Debabrata Dash, Adv.  
Ms. Apoorva Sharma, Adv.

Mr. Kaushik Poddar, AOR

For Respondent(s)

Mr. Ashok Kumar Panda, Sr. Adv.  
Mr. Manoranjan Paikaray, Adv.  
Mr. Shashwat Panda, Adv.  
Mr. Aniruddha Purushotham, Adv.  
Mr. Tejaswi Kumar Pradhan, AOR

SCBA

Mr. Vikas Singh, Sr. Adv.

State

Mr. Shibashish Misra, AOR

Mr. V.N. Raghupathy, AOR

Mr. Gautam Narayan, AOR

Signature Not Verified  
Digitally signed by  
Charanendu Kumar  
Date: 2023.12.12  
17:50:09 IST  
Reason: —

Mr. Himanshu Shekhar, AOR  
Mr. Parth Shekhar, Adv.  
Mr. Shubham Singh, Adv.

P & B High Court

Ms. K. Enatoli Sema, AOR  
Ms. Chubalemla Chang, Adv.

Mr. Arjun Garg, AOR

Rajasthan H.C. Mr. Gopal Jha, AOR  
Mr. Akhilesh Kuamr Pandey, Adv.

Mr. Abhimanyu Tewari, AOR  
Ms. Eliza Bar, Adv.

Ms. Sneha Kalita, AOR

Mr. Kedar Nath Tripathy, AOR

Calcutta H.C. Mr. Kunal Chatterji, AOR  
Ms. Maitrayee Banerjee, adv.  
Mr. Rohit Bansal, Adv.  
Ms. Kshitij Singh, Adv.

Mr. Dhananjai Jain, AOR

Ms. Preetika Dwivedi, AOR

Mr. Shantanu Sagar, AOR  
Mr. Shashank Shukla, Adv.  
Mr. Anil Kumar, Adv.  
Mr. Sidharth Sarthi, Adv.  
Mr. Shashwat Anand, Adv.  
Mr. Gunjesh Ranjan, Adv.

UPON hearing the counsel the Court made the following  
O R D E R

A disturbing picture has been presented before us on the basis of the affidavit filed by the Registrar General of the High Court disrupting court proceedings in the District Courts. The concerned videos have also been shown to us. The position as on date at 12.30 p.m. is also placed before us which reads as under :

"Sambalpur Incident dated 12.12.2022

#### Sequences

1. The Bhubaneswar Bar Associations call



for support to observe Satyagraha on 12.12.2022

2. District Judge, Sambalpur anticipating untoward situation discussed with the S.P. and collector on 11.12.2022.

3. After a detail discussion today morning the District Judge and other Judicial Officers of the Sambalpur headquarters entered inside the Court premises before 10 am.

4. Lawyers and public gather in front of the Court gate and pelted stone to the Court building thereby damaging the Court property and forcibly entered inside the Court premises.

5. Police personnel present there did not take proper action.

6. Anticipating danger to the lives and property of the Judicial Officers and Court, the door was bolted from inside in the chamber of the District Judge. However, lawyers and other public forcibly entered inside the Court premises and the chamber of the district judge in presence of police and threw the chairs, damaged the computers and misbehaved the District Judge and also the other Judicial Officers

present in the chamber.

7. The District Judge and other Judicial Officers could not be escorted out with lot of difficulties, however, they are scared of the incidents due to ransacking of the properties of the Court building including threat to the lives of the Judicial Officers and staff.

8. The Judicial Officers present in other chambers were also similarly threatened and forced to come out of their chambers.

9. Registrar General immediately after ascertaining the status informed the Director General of Police, Odisha over phone and also sent Whatsapp messages informing law and order situation.

10. The incidents were covered live by the Local electronic News channels viz. OTV, Argus News and others.

11. The Director General of Police, Odisha, the Principal Secretary, Home Department were also asked to take appropriate action against the persons involved with immediate effect.

12. The video footages of the incidents have been shared with the Director General of Police for immediate action."

We will not countenance the position. We have said so. We consider this a failure of the police also not to have taken action and taken the concerned disruptive lawyers into custody who must be prosecuted in accordance with law. The peace must be restored at all costs.

The State of Odisha to state before us as to what steps are they going to take so that no disruption of any Court process takes place, nor is agitation permissible within a certain specified periphery of each Court building.

Since the Advocate General is stated to be travelling, request is made to take up the matter day after.

We ask the Director General of Police and Inspector General, Sambalpur to appear before this Court personally through video conferencing to set out what steps they have taken.

We would also like to be informed by the Registrar as to what are the Courts which are functioning as all matters, in Districts which are disrupting the work, would stand transferred to the Districts adjacent where work is going on.

Lawyers, as stated before, have lost their privilege by this behaviour and the police is expected to take strictest of action.

We expect the Bar Council of India also to be



represented before us to explain as to what extent the licences have been suspended of the concerned lawyers leading the agitation.

List on 14.12.2022.

[CHARANJEET KAUR]  
ASTT. REGISTRAR-cum-PS

[POONAM VAID]  
COURT MASTER (NSH)

## Part-2

1

ITEM NO.39

COURT NO.2

SECTION XVI-A

### S U P R E M E C O U R T O F I N D I A RECORD OF PROCEEDINGS

MISCELLANEOUS APPLICATION Diary No(s). 33859/2022 IN  
T.P.(C) No. 2419/2019

M/S PLR PROJECTS PVT. LTD.

Petitioner(s)

VERSUS

MAHANADI COALFIELDS LIMITED & ORS.

Respondent(s)

(IA No. 159953/2022 - CLARIFICATION/DIRECTION)

Date : 14-12-2022 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL  
HON'BLE MR. JUSTICE ABHAY S. OKA

For Petitioner(s)  
HC Orissa

Mr. Arvind P. Dattar, Sr. Adv.  
Mr. Sibho Shankar Mishra, Adv.  
Mr. Niranjana Sahu, Adv.  
Mr. Debabrata Sahu, Adv.  
Ms. Apoorva Sharma, Adv.

Mr. Kaushik Poddar, AOR

For Respondent(s)  
Bar Council of  
India

Mr. Manan Kumar Mishra, Sr. Adv.  
Mr. S. Prabhakaran, Sr. Adv.  
Mr. Ardhendumauli Kumar Prasad, Adv.  
Mr. Nirmal Kumar Ambastha, Adv.  
Ms. Anjul Dwivedi, adv.  
Mr. Ram Shankar, Adv.  
Ms. Shreya Srivastava, Adv.  
Mr. Ashish Madaan, Adv.  
Ms. Ananya Sahu, Adv.

State of Odisha

Mr. Ashok K Parija, Adv. Gen.  
Mr. Gaurav Khanna, Adv.  
Mr. Shibashish Misra, AOR

Signature Not Verified  
Digitally signed by  
Charanjit Singh  
Date: 2022.12.15  
12:49:50 IST  
Reason: 

Mr. Ashok Kumar Panda, Sr. Adv.  
Mr. M.C. Nanda, Adv.  
Mr. Manoranjan Paikaray, Adv.  
Mr. Shashwat Panda, Adv.  
Mr. Aniruddha Purushotham, Adv.  
Mr. Tejaswi Kumar Pradhan, AOR

HC MP	Mr. Arjun Garg, AOR Ms. Sagun Srivastava, Adv.
HC Guwahati	Mr. Abhimanyu Tewari, Adv. Ms. Eliza Bar, Adv.
HC Calcutta	Mr. Kunal Chatterjee, AOR Ms. Maitrayee Banerjee, Adv. Mr. Rohit Bansal, Adv. Mr. Kshitij Singh, Adv.
HC Rajasthan	Mr. Joydip Roy, Adv. Mr. Gopal Jha, AOR Mr. Baij Nath Patel, Adv.
HC P&H	Mrs. K. Entoli Sema, Adv. Ms. Chubalemla Chang, Adv.  Mr. V.N. Raghupathy, AOR  Mr. Gautam Narayan, AOR  Mr. Himanshu Shekhar, AOR  Ms. Sneha Kalita, Adv.  Mr. Kedar Nath Tripathy, Adv.  Mr. Dhananjai Jain, Adv.  Ms. Preetika Dwivedi, Adv.  Mr. Shantanu Sagar, AOR

UPON hearing the counsel the Court made the following  
O R D E R

1. The Central Action Committee of all Bar Associations of Western Odisha indulged in agitation and writing to advance their case for setting up Benches of the Orissa High Court. Undoubtedly, the agitation went out of hand. It has been like the



ride of a tiger where the tiger has mauled, if not eaten them up. But then that is the consequence which must flow to them when they indulge in such activities.

2. Mr. Arvind Dattar, learned senior counsel for the High Court of Orissa has placed before us some suggestions which we want to deal with at the inception before we proceed further on different aspects.

The first submission is that there is no information of arrest of non-lawyers/outsideers who are visible in the vidoes and photographs and FIRs. must be registered under the relevant provisions against both lawyers and non-lawyers. We have little doubt that it has been an abject failure of the police and we did put to the police authorities whether they are capable or not of controlling the situation or would they require us to get some para military force deputed if they find themselves incompetent to handle the situation. The IG, Police, Sambalpur and the DGP, Odisha have assured that what has happened will not happen again and they take personal responsibility to ensure that complete peace is maintained and no interruption is caused in the working of Court in any manner, whatsoever. We clarify that whatever extent of force is to be

deputed must be deputed. Whatever element of force is necessary to enforce the discipline must be used and there shall be no mollycoddling because somebody is a lawyer or not and the FIR thus must be registered under the relevant provisions of the IPC and not a whitewash. We have indicated to the police authorities that their ability to control the position will be closely monitored by us in these on going proceedings.

Secondly, there is suggestion that all the office bearers of all the Bar Associations who participated in the boycott of the Courts on 12.12.2022 and indulged in violence should be issued contempt notices.

We agree with the suggestion. The list of all the members of the Bar Associations will be furnished by Mr. Sibor Sankar Mishra, learned counsel and contempt notices will be issued to all the members as to why they should not be proceeded against and punished in accordance with law for contempt of orders of this Court.

Thirdly, it has been stated that the demand for setting up of the Benches of the High Court is not only from Sambalpur but also from Bolangir, Koraput, Berhampur, Balasore, Sonepur, Rourkela. This seems to have become prestige issue rather than

a functional issue. In fact Mr. Dattar says that only Koraput and Bolangir fall within the parameters of the Jaswant Singh Committee report of 1985 which prescribed at least a distance of 300 km. Thus in terms of that Committee report, there is no question of setting up Benches elsewhere.

We may also note that with the passage of time when the use of technology has made the parameters in a sense obsolete. The use of technology has been quite widespread now in the Courts and monitored by the High Court of Orissa. Thus the very justification for having any Bench of the High Court no more exists.

In fact there are now counter demands of the Bhubaneswar Bar Association that the entire High Court should shift from Cuttack to Bhubaneswar. Naturally the Cuttack Bar Association opposes the same. The shifting of the High Court or creation of Benches is a matter of serious administration and cannot be done by such whimsical demands. We are putting this in the order to foreclose these issues which continue to be raised repeatedly and had produced this violence. In fact the Resolution passed by the Central Action Committee is only of suspension of on going movement of strike with a high hope for formation of permanent Bench of Orissa High



Court in Western Odisha at Sambalpur. We reject the Resolution. The Central Action Committee would have to call off the strike unconditionally and inform the other non-lawyers actors whom they have tried to rope in for purposes of enhancing their cause. There is no high hope for formation of a Bench much less a hope now. Even if there was some remote possibility, that is lost now with their conduct.

Fourthly, we are informed that from any District Court in Odisha, one can file a case in the High Court and also appear virtually. This has been possible with the technological progress. It is proposed that one dedicated room in every district Court premises in Odisha for the purposes of virtually appearing before the High Court every day will be functional soon and there can be adjacent back office to such room which will facilitate e-filing of cases in the High Court. The time period for operationalization of the same is stated to be in three months. We accept the same.

This is insofar as the report of the High Court of Orissa is concerned.

3. There is a report of the Director General of Police, Odisha on the events which took place on 12.12.2022 at Sambalpur and the action taken in pursuance thereto. Let us say that it is the

police's job to control law and order. They don't need any directions from us what to do. Suffice to say, what we have stated above, that complete peace and functionality of the Courts has to be maintained not only for the protection of the judicial officers but to ensure that whichever lawyers want to attend the Court are able to do so. We strongly condemn the endeavour of the striking lawyers to browbeat the Advocate General or members of Bar Council of India or the State Bar Council, including burning of the effigy. In fact what the report says is that these people did not hear the request of the police and converged on the entire road and disrupted free flow of traffic. In our view, if this is what was happening, the police should have effected preventive arrests and such people should remain in custody for some time at least and do not deserve any indulgence much less as the lawyers since they have lost their privilege of being an advocate. We have put the burden on the police authorities, which is their function, to treat the criminals like criminals and must be brought to book under the relevant provisions of the IPC.

4. The Bar Council of India has also submitted a report to us in a sealed cover. Orders have been passed on 12.12.2022 and 13.12.2022 specially after

perusing the videos and photographs by the striking lawyers who failed to heed any caution tendered by the Bar Council of India earlier. 43 lawyers have been suspended and it is an ongoing process as on the basis of material the Bar Council of India identifies more lawyers.

5. The concern for securing the offices of the Bar Council must be met by the police authorities. It has also been pointed out that some of the senior officers of the Bar Council of India are facing threats including, Mr. Manan Kumar Mishra, Senior Advocate of this Court who is the Chairman of the Bar Council of India. It shall be the State police's responsibility to give adequate protection to him. Mr. Prabhakaran, Vice Chairperson already has security and would be provided security whenever the Members of the Bar Council visit there to make appropriate direction in pursuance to the duties as the Bar Council members. Since the family of Mr. Mishra also faces threat as he is from Bihar, the State of Bihar is directed to make adequate security arrangements for them and to provide him security personally. This order be informed to the Director General of Police, Bihar.

6. Since the meetings are held by the Bar council



of India at their office at No. 21 Rouse Avenue, ITO, Commissioner of Police Delhi, will issue necessary instructions to make relevant security arrangements as and when meetings are held and the Bar Council will inform the local police authorities about the same.

7. Mr.Prabhakaran, has brought to our notice order passed in Suo Motu Contempt Petition No. 1834/2015. This is the judgment of the Division Bench of the Madras High Court dealing with somewhat similar scenario at the relevant time where the power of the Bar Council of India to suspend the lawyers pending inquiry was sought to be assailed. After the discussion of the aforesaid issue, it was observed in the concluding paras 24 and 25 as under:

"24. In view of the reasons aforesaid, we reject the argument that the Bar Council has no right to suspend practice pending disposal of disciplinary proceedings.

25. Our answer to the question :

We hold that the power of the Bar Council to revoke the licence to practice permanently or suspend it for a fixed term would also include the incidental power of interim suspension pending disposal of disciplinary proceedings for professional misconduct."

8. We have examined the judgment and would like to give our imprimatur to the legal view expressed in the judgment.

9. We must impress upon the legal fraternity that the privilege of having the licence as a lawyer has to be used responsibly. It is the legal fraternity which provides redressal to affected parties representing their case. The disruption of normal functioning affects the litigants. We are saying so in the general context and not in respect of the incident which has been an exercise in lumpenness.

10. It has been pointed out by Mr. Dattar that some kind of an additional holiday arise when there is unfortunate demise of a lawyer, the work is called off suddenly in the morning itself disrupting the working. While we respect the sentiments of the legal fraternity to pay their respects to any member of the Bar, the methodology which is adopted by the Supreme Court and by the most High Courts is to have reference or a gathering for the said purpose on specified days which the local Bar Associations can determine. It should not be more than once a month and that too in the afternoon session after 3.00 p.m. so that the normal working is not disrupted and yet the sentiments which are sought to be expressed are conveyed.

11. We may note that local Bar Associations are the association of the practicing lawyers with the object of taking up issues in the interest of improving the working of the courts. The objective cannot be to hold a meeting to disrupt the working of the Courts. If such meetings are held to hold disruptions naturally the Bar Council of India is well within its rights to take a call on the conduct of the lawyers in question.

12. We express our appreciation for the assistance provided by the Bar Council of India and its office bearers in regulating the conduct of the members of the bar which should be of the highest order and the counsels for the High court who appear to assist us and also the Advocate General for the State of Odisha.

13. We hope that the police does not give us an opportunity now to recognize a failure of theirs which would call for outside force to be brought in.

14. In the end Mr. Panda, made an impassioned plea on behalf of Bar members of Sambalpur by saying that they should not feel that they are being victimized. In our view, they are getting what they deserve. If they had not participated in the events, we leave it to the Bar Council of India to see which are the



lawyers to be exempted but such an extreme action was called for because of the behavior of the lawyers at large in Sambalpur.

15. A request is made also that the bail applications of the lawyers who have been arrested should be considered as per law. In our view, every Court acts as per law and certainly there is no requirement of showing any indulgence to these lawyers.

16. We would close by saying that this has been a most painful exercise for us because the persons on this side of the Bar have also been members of the Bar but then the larger cause of the institution requires us, as well as the Bar Council of India, to take action as done as the very edifice of the judicial system is sought to be shaken by such disruption and criminal activities carried on by a section of the Bar.

17. List on 06.02.2023.

[CHARANJEET KAUR]  
ASTT. REGISTRAR-cum-PS

[POONAM VAID]  
COURT MASTER (NSH)

## **Appendix-R**

### **Letters dated 18<sup>th</sup> April and 27<sup>th</sup> October 2022 of the Chief Justice to the District Judges**

**18<sup>th</sup> April, 2022**

***Dear District Judges,***

Warm greetings,

I had written to you last on 10<sup>th</sup> October, 2021. This year, on 26<sup>th</sup> and 27<sup>th</sup> February of this year, we met at the conference of the District Judges (DJs) and the Chief Judicial Magistrates (CJMs) to discuss a range of topics. The report of the deliberations of that conference is enclosed (Enclosure I).

Although in the first two months of this year we had the last phase of the COVID 19 pandemic, we have been able to revert to normal functioning of the courts since March. On a year on year comparison, it is satisfying to note that the results of the performance of the Courts at all levels in the first quarter of this year has been encouraging (see Enclosure II).

A copy of the Annual Report of the year 2021 that was released on the occasion of the DJs' Conference on 25<sup>th</sup> February, 2022 is already available with each of you. A PDF (soft copy) version of the report has been uploaded on the website of the High Court. May I request you to urge each of the Judicial Officers in your District to read the said report carefully. In particular, I would like them to be aware of the infrastructure and ICT initiatives that have been undertaken in 2021 in both the High Court as well as the District Courts. These transformative changes have been possible due to the active cooperation of each of the judicial officers at all levels of the Odisha Judiciary.

#### ***Virtual court rooms and VWDCs***

One of the major initiatives which was commenced in 2021, and which is gathering full steam this year, is the inauguration of virtual court rooms and Vulnerable Witness Deposition Centres (VWDCs). You will recall that the first two virtual court rooms were launched in Angul and Nayagarh districts on 11<sup>th</sup> September, 2021. Later, we inaugurated the virtual court room-cum-VWDCs at Bhadrak and Malkangiri districts on 28<sup>th</sup> December, 2021. On 2<sup>nd</sup> April this year, i.e.

2022, we had Dr Justice D Y Chandrachud, Judge, Supreme Court of India to inaugurate 15 VWDCs. Very soon we will be inaugurating another 12 VWDCs. As a result, in almost every district, you will have at least one virtual court room-cum-VWDC.

The results of the operation of the virtual court rooms in Angul and Nayagarh Districts have been encouraging. We now have a standard operating procedure (SOP) regarding the functioning of such virtual court rooms and VWDCs and most of the judicial officers have familiarized themselves with it. I would urge you to hold periodic orientation meetings for all of the Judicial Officers on the SOP for virtual court rooms and VWDCs and encourage them to use the virtual court rooms for conducting cases. The full potential of such facility must be realised. I will also be holding review meetings regarding the functioning of both virtual court rooms as well as VWDCs, so that we learn from the working of these technologically enabled court rooms and try to improve their functioning.

### ***Paperless courts in the Districts***

The DJs' conference provided a platform for exchange of ideas. Many DJs and CJMs came up with constructive suggestions for improving the system. Some of those suggestions have been incorporated in the enclosed report which has been placed before the Full Court of the High Court.

I am happy to state that the call at the DJs conference for District courts to volunteer to host paperless courts on a pilot basis has met with an enthusiastic response. Very soon, we will work out the modalities of the pilot project for paperless courts and hold a virtual meeting with the concerned DJs for its implementation.

The vision I have for the Odisha Judiciary is that every OJS Officer of a new batch should be able to preside over a paperless Court. The necessary training for orientation for this shall be provided to the officer in the Odisha Judicial Academy (OJA). The idea is that with every subsequent posting of such officer, the Court to which she/he is posted will become paperless. This way, we can hope to gradually convert every Court in the District Courts as paperless. It is a bottom-up approach. But if any of the present OSJS officer volunteers, then that Court can also become paperless. Thus, in due course, say the next three years, all our subordinate courts can become paperless. It will reduce our dependence on paper and open up more spaces for the productive work of the Court. This will be in sync with our new initiative of introducing the e-filing 3.0 which I will speak about next.

### ***e-filing of cases***

Among the initiatives that we have persisted with in 2021 is the opening of e-filing stations and hands on training of the Bar. On 2<sup>nd</sup> April 2022 this year Dr Justice D Y Chandrachud launched



the e-filing 3.0 version in Odisha. This is available not only to the lawyers of the High Court of Orissa but also every lawyer in the District Courts of Odisha. We are required to now hold hands on training for the Bar on e-filing 3.0, which is a much simpler version when compared to e-filing 1.0. These training sessions need to be held regularly in all districts, at least once a month or once in two months, so that every lawyer in the District, which will include the outlying stations, is familiar with e-filing procedure. Instructive videos on the e-filing 3.0 in English and Odia are available on the website.

Much will depend on the District Judges to encourage the members of the local Bar Associations to opt for both e-filing of cases and virtual hearings, by explaining their obvious advantages. It needs to be impressed upon them that these are transformative steps that can change the way the lawyers function, organize their offices and their work.

### ***e-libraries for the Bar and SCC Online for judicial officers***

A major initiative of the High Court launched on 22<sup>nd</sup> March, 2022 has been opening of e-libraries for the Bar in each of the 30 Districts and in the two outlying stations of Rourkela and Koraput. A detailed set of instructions on their functioning has been provided to the DJs. It is necessary to know what the response of the Bar has been to the provision of e-library as that will help us plan the expansion of the network of e-libraries to cover all the outlying stations in Odisha. Any feedback to improve its functioning would be most welcome.

On 21<sup>st</sup> February, 2022 we provided the facility of SCC Online to each judicial officer in Odisha. I would urge the full use of the facility by each judicial officer. They should form study circles in their Districts to exchange notes on the latest judgments of the Supreme court of India and the High Courts on important relevant topics including CPC, Cr PC, IPC, Evidence Act, NI Act, NDPS Act, POCSO Act, local Acts and so on. They should meet either physically or virtually, or even in hybrid mode, once in a fortnight or month to discuss the judgments. I will be writing separately to the Director OJA in this regard.

### ***Rationalisation and distribution of case load***

One of the topics discussed at the DJ's conference is the rationalisation of the case load of Courts. This is a problem that has plagued our Courts for quite some time. Invariably, the Courts of the JMFC and SDJMs in most judgeships are overloaded, while some of the other Courts are disproportionately carrying a lesser load. While the State Government will be approached for creating additional Courts to meet the growing pendency, we have tried to rationalise the case load in the judgeships as per the accompanying chart (Enclosure III). You may kindly examine it and try redistributing the cases as suggested judgeship wise, as far as is practicable. Similar methodology may be adopted by the other DJs also for the above purpose. The ultimate decision is of course yours as a DJ.

### ***Speeding up the trial of rape cases and old cases***

At the DJ's conference we had sought volunteers for implementing a pilot on fast-tracking rape trials. It was encouraging to see that we immediately had a positive response from the Districts of Angul, Nayagarh, Bhadrak and Malkangiri. It is hoped that the VWDCs in these Courts will speed up the trials and set a new benchmark for rape trials in Odisha.

In my earlier letters, I have spoken about the pendency of year-old cases and how we should direct our efforts to tackle them. In particular, I had focused on sending old criminal cases to the 'dormant' file and closing of old execution cases. In the last one year, we have made considerable progress in scanning the Lower Court Records (LCRs) and sending them back to the trial Courts. This coupled with the strict implementation of the instruction that all LCRs called for from the trial Courts should be sent to the High Court only as soft copies, has helped ensure that there will very soon be no physical LCR file of a trial Court in the High Court except where a High Court Judge hearing the case has specifically requested for the physical LCR. I hope that with the LCRs having been sent back to the District Courts, such of those year-old cases whose disposal was held up for want of LCR will be taken up on priority basis and disposed of.

In my previous letters, I had urged that each Judicial Officers should review the entire pendency of the year-old cases in his/her Court. Where cases were held up on account of a stay granted by the High Court, the decision of the Supreme Court in *Asian Resurfacing* case was to be applied to treat the stay as having been vacated. I am happy to note that the instructions have been followed by all the subordinate courts in the Districts with encouraging results. However, we should not become complacent as much more needs to be done to reduce the pendency of year-old cases. Our focus must shift to the cases in bracket of 10-year old and above and reduce their numbers substantially in 2022. It would be the happiest moment for all of us if in Odisha there is no 20-year plus case pending in 2023. Let us strive to achieve that goal. I would request each of the DJs to make a personal effort to ensure this. This will mean a lot in terms of the overall pendency position in the District Courts.

### ***Record room and malkhana***

As far as the record rooms are concerned, I am encouraged by the improved manner of preserving of records in each of the District Courts. In the years to come, we will be learning from the experience of scanning of old records in the four major cities of Cuttack, Balasore, Berhampur and Sambalpur and from that experience expand the scanning activities to include each district headquarter, so that the scanning can take place there itself.

Also, I would encourage each District Judge to identify old records that are of the pre-1950 vintage and keep them separately in a 'Fragile record' room or cupboard. With the launch of Odisha Judicial History Project on 9<sup>th</sup> April, 2022 these old records are invaluable and will be the

research material for the project. I would encourage you also to identify any old articles which may be of pre-1950 vintage including old furniture and artefacts which can be preserved in the Museum of Justice, which has been planned as part of the project.

There are two areas where I would like each DJ to pay particular specific attention and both of those are covered by judicial orders. One is the disposal of old articles in the Malkhanas and other is disposal of the articles seized under the NDPS Act. A detailed SOP has already been provided to the DJs. I hope this will help in compliance in a time-bound manner of the detailed directions issued by the High Court on the judicial side.

### ***Infrastructure***

Many new Court buildings have come up and many are to come up. It is in our hand to ensure the quality of construction as the best and for which we need to closely supervise the construction work. The Committee formed in each of the Districts for this purpose is requested to coordinate with the Registrar (Inspection) of the High Court and the Registrar (Vigilance) of the High Court to ensure that these projects are not only carried out in best manner but in consistent with the sanctioned plan.

We also got the State Government to agree to fund the costs for maintenance of the District Court complexes through outsourced agencies. Hopefully, you will see real progress in this regard in the current year.

I hope the roster system of at least one Judicial Officer coming early to the Court on a rotation basis, walking around the Court, and making note of the cleanliness and overall maintenance of the Court is continued. I would reemphasize that the Court premises should be neat, clean and orderly and welcoming the litigant public. The modalities for deployment of outsourced cleaning agencies will be sent very soon to you so as to take care of the overall cleanliness of the premises. It be ensured that there are sufficient chairs in the corridors for the litigant public to sit, and the facilities for drinking water and sanitization are available. It also needs attention to the children may be visiting the Court premises. Needless to say, it is now statutory and mandatory that our Court premises must be disabled friendly in every sense of the term, and I am sure you will bestow your kind attention to all these issues at your personal level.

### ***Staff position***

I expect the process of recruitment of Group 'C' staff in the District Courts to be completed by now. As regards the recruitment of Group D staff, with the changed procedure under the Rules, the High Court will be undertaking the exercise in a centralized manner and hopefully complete it within a few months.



### ***The Bar***

Post the Covid pandemic, almost all the Bar Associations have resumed full-fledged work. By and large, cordial relations have been maintained with the Bar in most Districts. We are trying our best to address the needs of the bar by providing more facilities and this will continue in the coming months as well. Kindly continue the good work of maintaining good working relationship with the Bar and ensure their co-operation in disposal of year-old cases and speedy completion of trial of cases involving grave offences. Please keep the High Court informed of all developments concerning the Bar promptly.

The judiciary in Odisha is in the march of progress, with many successful initiatives having been taken in the past fifteen months. It has been possible because of the sincere efforts of all the judicial officers guided ably by the Judges of the High Court, its Registry and the staff in both the High Court and the District Courts. I wish to place on record my appreciation of all their efforts and request you to convey this to each of them. Also, kindly share a copy of this letter with each of the judicial officers in your District.

I have no doubt that every judicial Officer will give of his best to keep the flag of the Odisha Judiciary flying high. I wish each of you the very best and hope to be interacting with you on a frequent basis later in this year.

With warm wishes,

**(S. Muralidhar)**

*Encl* : As above 'I' to 'III'

27<sup>th</sup> October, 2022

Warm greetings to all of you.

I had written last to you on 18<sup>th</sup> April, 2022. I am happy to state that with the cooperation of all of our judicial officers we have been able to achieve the targets we had set for ourselves in the District Judges'(DJs') Conference that was held on 26<sup>th</sup> and 27<sup>th</sup> February, of this year.

### ***Rationalisation of cases***

On the issue of rationalisation of the distribution of cases among the Courts, the High Court Registry has, with your cooperation, been able to come up with a detailed action plan which many you have begun implementing at your level. Recently, the Full Court of the High Court has also approved the granting of cognizance taking powers on some of the Magistrates. This should help in the more efficient and effective disposal of cases in the Courts of the JMFC and SDJM.

### ***Year old matters***

On the issue of disposal of old cases which was discussed at the DJs' Conference, there has been a regular follow up from the side of the High Court through virtual interactions with each of you in past few months. I must record the satisfaction of the High Court with the positive response received from the judicial officers in the past few months which has helped in increased disposal of the year-old cases. I am happy to share with you the details of progress in this area. (Enclosure-I)

### ***Paperless Courts***

The third area which was discussed at the DJs' Conference of 2022 was the opening of paperless Courts in the Districts. As you are aware, based on the response of the judicial officers to the request for volunteers for the first paperless courts, 34 paperless courts in all 30 districts were able to be inaugurated by the Chief Justice of India, Justice Uday Umesh Lalit, in presence of Supreme Court Judges Dr. Justice D.Y. Chandrachud and Justice M.R. Shah on 17<sup>th</sup> September, 2022. It was a landmark moment in Odisha Judiciary's history. What was begun well has, from the reports received so far, progressed well. Shortly we will be distributing touchscreen laptops to judicial officers, using which, if they so choose, they can operate a paperless court in the near future. The SCC Online facility already provided to each Judicial Officer should be able to be used on the dais with the laptop or the WACOM monitor.

The vision I have for the Odisha Judiciary is that, in a phased manner, we should be able to convert every Court in the District Courts to a paperless court within a year's time and definitely by the end of 2023. That will indeed be a great achievement for the Odisha Judiciary which has already taken the lead in many of the IT based initiatives.

### ***Digitisation of Court records***

In the previous letter, I had mentioned that we intended expanding the number of District Courts Digitization Centers (DCDCs). Soon 10 DCDC hubs will be inaugurated and there will be a total of 14 DCDC hubs, which hopefully will ensure the scanning of all the old case records in each of the District Courts. I request each of you to separate out, if not already done, the fragile pre-1950 records and ensure the transfer of old records to the DCDC hubs at the appropriate stage so that their digitization can take place.

We have also been monitoring the progress of digitization in the four existing DCDCs. The statistics for the period ending 15<sup>th</sup> October, 2022 is enclosed. (Enclosure-2).

### ***Disposal of articles***

On the issue of disposal of old and unclaimed articles in the Malkhanas and the seized articles under the NDPS Act, I am happy to report that there has been satisfactory progress in implementation of the judicial orders passed by the High Court on judicial side on 31<sup>st</sup> January, 2022. Of course, we should not be complacent in this regard. I would urge you to closely monitor the progress of the implementation of the said judicial orders on a fortnightly basis so that the intended targets are achieved.

### ***Infrastructure development and establishment of VWDCs***

One of the important measures that was implemented this year was the inauguration of Vulnerable Witness Deposition Centres (VWDCs) in each of the Districts in phases on 18.12.2021(Bhadrak), 28.12.2021 (Malkangiri), 02.04.2022 (in 13 Districts) and 14.05.2022 (in 15 Districts). The High Court Committee monitoring the working of the VWDCs and virtual courts has held meetings with each of the and hopefully we will be able to achieve the targets as regards the examination of witnesses in these facilities. I would urge you to ensure that these facilities are used to the fullest extent and their full potential realized.

The other important decision taken and implemented this year is the establishment and inauguration of a dedicated division i.e 'Judicial Infrastructure Management Agency (JIMA), Odsiha' on 12<sup>th</sup> October, 2022 to effectively manage the construction and maintenance of the entire judicial infrastructure in the State. The establishment of JIMA for judicial infrastructure development is first of its kind in the Country.



The engagement of the service providers on outsourcing basis in all the Judgeships of the State is for the first time in the judicial history for providing cleaning, maintenance and electrical services in the District and Taluk Courts of the State with the active participation of the judicial officers in the selection process is commendable one. Required funds as per contract have been provided to all the judgeships for such services but it requires regular monitoring by the judicial officers to enhance the quality and timely service by the agencies.

During the current financial year 2022-23, total 196 new and ongoing construction projects have been taken up under State Sector Scheme and 36 new & ongoing construction projects have been taken up under CSS for infrastructure development of the sub-ordinate Judiciary. For the first time, earmarked budgetary provisions have been made for the Judiciary for repair, renovation, maintenance and improvement work of the residential and non-residential buildings of the High Court and Subordinate Courts. Till date 381 repair, renovation, maintenance and improvement projects have already been taken up by the works department directly on release of funds with the approval of the Court.

### ***Jails and sub-jails***

On account of certain orders passed by the High Court on the judicial side, there has been considerable progress in the upkeep and general condition of the prisons in Odisha. Your cooperation in ensuring timely visits to the jails and sub-jails in your jurisdiction has been of invaluable help in issuing meaningful directions. I would urge you to keep a close watch on the conditions of jail and sub-jails within your jurisdiction and ensure that the judicial directions issued in this regard are scrupulously followed.

### ***Judicial Calendar***

Just like in 2022, it is proposed to have a judicial calendar for 2023 using paintings of schoolchildren on a specific theme. A separate letter has already been written to each of you to hold the event in your premises on the 12<sup>th</sup> /13<sup>th</sup> November, 2022. The DJ of each district will with the help of a panel of art experts convened by him locally, choose three of the best paintings of children of Classes V to VIII on the theme of 'Nature and wildlife in Odisha'. We hope to bring out the judicial calendar of 2023 in the 2<sup>nd</sup>/3<sup>rd</sup> Week of December, 2022.

### ***E-Filing of cases***

I would request you to constantly interact with the Bar, organize training programmes and increase lawyers to e-file their cases. With the introduction of paperless Courts, the DCDC hubs, and scanning of current records both the inflow as well as the outflow of paper will be reduced. It is hoped that eventually every Court in the District Court will be truly paperless.

### ***Relationship with the Bar***

This was also the year when all of you participated in choosing the best performing lawyer of each district. The said exercise is proposed to be undertaken for the year 2022 as well. The awards will be given away hopefully on Lawyers' Day i.e. 28<sup>th</sup> April, 2023.

I appreciate the efforts that each of you has been making at your level to ensure that the relationship with the Bar is cordial. Yet, there have been periodic 'cease work' resolutions passed by various Bar Associations which have had to be tackled both by you as well as the High Court from time to time. I can assure you that you have the full support of the High Court in all your endeavours in this area, and I urge you to continue your efforts at ensuring the smooth functioning of your Courts.

### ***Best performing district***

As you were aware, the High Court is intending to evaluate the performance of each of the district on a pre-determined set of parameters which have been circulated to each of you. The districts have been divided into three broad categories. It is proposed to recognize the best performing district in each of the category in the Annual Report for 2022 will be published sometime in early February, 2023 to coincide with the Conference of DJs and CJMs.

As you are aware this year we have introduced a system of maintenance of the Court premises in the District Court as well as the outlying stations through agencies on contract basis. This requires to be closely monitored and the best performance extracted from each of the agencies deployed.

There have been a series of Supreme Court orders and judgments on various topics like disposal of bail applications, disposal of execution cases and so on, the implementation of which will require to be closely monitored. For your ready reference a list of the recent decisions of the Supreme Court of India containing such directions is enclosed. (Enclosure 3)

The work of the Orissa Judiciary has received good appreciation of visibility all over and I would urge all of you to keep the flag of the Odisha Judiciary flying high with the same dedication and devotion which you have shown so far.

I wish each of you and each of the judicial officers in your District all the very best.

**(S. Muralidhar)**

*Encl* : As above '1', '2' and '3'.

All the District and Sessions Judges.





HIGH COURT OF ORISSA



