

Chapter I

General Sector

CHAPTER I GENERAL SECTOR

1.1 Introduction

The Chapter contains findings based on audit of State Government departments under the General Sector. General Sector plays an important role in an economy as this sector is responsible for creating environment wherein policies and plans are formulated and implemented for economic and social development. General Sector includes Planning, Police, Finance, Local fund, Audit, Justice, Fire Department, District Administration, etc.

The expenditure incurred during the last five years by some of the major Departments pertaining to the General Sector are tabulated below.

Table No. 1.1.1 Expenditure incurred by major departments during the last five years

(₹ in crore)

Years	Finance*	Police	Planning	Total on General Sector (per cent)	Total Expenditure
2014-15	984.36	1042.32	197.36	2,529.74 (28.47)	8,884.61
2015-16	1,061.97	1083.67	73.04	2,526.56 (27.77)	9,098.16
2016-17	1,298.56	1196.06	85.29	2,855.03 (26.31)	10,852.06
2017-18	1,416.84	1299.56	162.33	3,188.88 (27.98)	11,397.17
2018-19	1,549.64	1378.62	160.76	3,397.70 (23.29)	14,590.22

Source: Appropriation Accounts. * Including Local Fund Audit.

Table No. 1.1.2 Department-wise budget provision and expenditure during 2018-19

(₹ in crore)

Sl. No.	Department	Budget Provision	Expenditure
1	Finance *	1,582.45	1,549.64
2	Local Fund Audit		
3	Police	1,565.90	1,378.62
4	Planning	442.99	160.76
5	Land Revenue, Stamp and Registration and District Administration	119.96	91.99
6	Administration of Justice	119.16	41.71
7	Secretariat	110.56	89.95
8	Election	60.73	43.79
9	Fire Protection and Control	13.85	11.87
10	State Academy of Training	6.84	4.69
11	Rehabilitation	6.35	4.66
12	Governor Secretariat	6.30	5.66
13	Manipur Public Service Commission	5.89	4.73
14	Stationery and Printing	5.84	5.10
15	Vigilance	4.67	4.53
Total		4,051.50	3,397.70

Source: Budget documents and Appropriation Accounts.

* Excluding Appropriation No. 2 – Interest Payment and Debt Services.

1.1.1 Planning and execution of Audit

Compliance audit of General Sector is conducted in accordance with an Annual Audit Plan approved by the Comptroller and Auditor General of India.

Topicality, financial profile, social relevance, internal control system of the units and occurrence of defalcation/ misappropriation/ embezzlement as well as the past audit findings form the basis of risk assessment for selection of audit units. After completion of the compliance audits, Inspection Reports (IRs) are issued to the heads of units as well as to the concerned heads of departments. In the light of replies received, audit observations are reviewed and settled, if action taken by the audit client is satisfactory. However, if no action is taken or action taken is not satisfactory, the audit findings are retained and units are advised to take further suitable remedial measures. However, some very serious and selected audit findings are processed for inclusion in the Audit Report of the Comptroller and Auditor General of India for placing the same before the State Legislative Assembly as mandated by the Constitution.

Out of total 254 units selected for compliance audit during 2018-19, 33 units (13 per cent) pertained to General Sector. As of March 2019, 31 Inspection Reports containing 96 paras, involving expenditure of ₹ 840.00 crore including expenditure of the previous years under General Sector, were issued to the Unit heads with copies to the Heads of the Departments concerned. Year-wise details of expenditure audited in respect of General Sector during 2018-19 are shown in *Appendix 1.1*.

This Chapter contains one Performance Audit viz. “**Performance Audit on the Development of Infrastructure Facilities for the Judiciary**”.

PERFORMANCE AUDITS

LAW AND LEGISLATIVE AFFAIRS DEPARTMENT

1.2 Development of Infrastructure Facilities for the Judiciary

Highlights

Centrally Sponsored Scheme for “**Development of Infrastructure Facilities for the Judiciary**” is being implemented since 1993-94 to improve the physical infrastructure requirements of the Courts and the housing needs of Judicial Officers to facilitate better justice delivery. Similarly, “**e-Court Mission Mode Project (MMP)**”, implemented since 2005, envisaged deployment of hardware, software and networking to assist Courts in streamlining their day to day functioning. The Phase II of the Project has been implemented since 2016 with an objective to take a holistic approach for computerisation and automation of the processes of Courts. A Performance Audit on the Implementation of Government initiatives in Judicial System covering these two schemes was conducted for the five-year period 2014-19. The Report has following significant findings:

- *The Department did not prepare Annual Action Plans for achieving targets. The Action Plan, for 2014-18 submitted to the Ministry of Law, GoI, had no correlation with the actual execution done during the period. The*

Department did not prioritise taking up Court buildings in Churachandpur and Ukhrul districts for various Courts, which were functioning from different locations, to bring them in one Court complex.

(Paragraph 1.2.6)

- *The Department received Central funds of ₹48.87 crore during the period, under the CSS for judicial infrastructure. They delayed release of funds by four to six months to the implementing agencies, which affected timely work execution.*

(Paragraphs 1.2.7.1 & 1.2.7.2)

- *Out of ₹659.96 lakh received from the GoI for implementation of Phase II of the e-Courts MMP, the Implementing Agency incurred an expenditure of ₹308.18 lakh (46.67 per cent) as on 31 March 2019, leaving unspent balance funds of ₹351.78 lakh (53.3 per cent) due to slow spending of funds.*

(Paragraph 1.2.7.3)

- *The Department took up 55 works during the period and incurred an expenditure of ₹35.17 crore on 49 works, as on March 31, 2019 and six works remained incomplete.*

(Paragraph 1.2.8.1)

- *As against proposals for seven Court Buildings, construction could be taken up only in Tamenglong and against a proposal of 21 quarters for JOs, the Department constructed only three quarters in Churachandpur, Imphal and Chandel districts. During the period 2014-18, infrastructure created at a total cost of ₹242.05 lakh at Churachandpur, Lamphel and Thoubal Court Complexes remained unutilised. The quarters at Churachandpur district constructed at a cost of ₹2.17 crore remained unutilised since June 2017, indicating that there was no demand for housing.*

(Paragraphs 1.2.8.2 & 1.2.8.3)

- *The Implementing Agency did excess procurement of Computer hardware and peripherals without assessing the requirement, resulting in idle stock. Besides joint physical verification in sampled courts revealed idling of computer hardware due to non-automation of Courts and non-functioning of Judicial Service Centres for more than two years.*

(Paragraph 1.2.8.5)

- *The Judicial Service Centre (JSC) in the Court complexes is to be utilised as a hub for reception cum inquiry and as a Central Filing Centre (CFC). The JSC cum (CFC) is to be utilised along with other services for the litigants such as case status information, certified copies issuance, inquiries, etc. It was seen that these Centres were non-functional in all seven Court complexes in the four sampled Districts.*

(Paragraph 1.2.8.6)

- *Video-conferencing facilities, information kiosk machines, Thin Clients with display monitors were not functional due to non-reliable internet facilities and LAN system in the sampled Courts at Thoubal, Churachandpur and Ukhrul districts, depriving the Judiciary and litigants, the benefits of these facilities.*

(Paragraph 1.2.8.8)

- *Under Judicial Process Re-engineering exercise, e-filing portal has not been developed for Manipur High Court, automation of administrative functions and Double entry book keeping was not started in any of the sampled courts, e- registers were maintained only in one of the sampled courts and automation process serving was there in the two courts. In six out of 19 sampled Courts, official email addresses were yet to be provided. The digitisation of case records was tardy with only three per cent of the target being achieved.*

(Paragraph 1.2.8.10)

- *Under Judicial Knowledge Management System, in all the 19 sampled courts there was neither any Library Management Software nor a Digital Library.*

(Paragraph 1.2.8.11)

- *In three out of five sampled Districts, there were no ICT personnel for the Courts impacting the successful implementation of the e-Courts Project in these districts.*

(Paragraph 1.2.8.12)

1.2.1 Introduction

Development of infrastructure for judiciary is primarily the responsibility of State governments. However, the Central Government has been augmenting the efforts and resources of States for construction of court buildings and residential accommodation for Judicial Officer (JOs)/ judges covering District and Subordinate Courts since 1993-94 through Development of Infrastructure facilities for the Judiciary, a Centrally Sponsored Scheme (CSS). During the five-year period 2012-17, the scope of the scheme encompassed construction of new court buildings, upgradation or renovation of existing court buildings and provision of residential quarters for JOs. Government of India (GoI) extended (November 2017) the Scheme up to March 2020; further including provisions of barrier free access to senior citizens and persons with disability (PwD) and for other safety measures in courts.

Further, as part of judicial reforms, it was decided to upgrade Information and Communication Technology (ICT) infrastructure in the courts, through implementation of e-Courts, as part of the National e-Governance Plan (NeGP). It was initiated (2007) as a Mission Mode Project (MMP) with the objective of helping judicial administration in streamlining their day-to-day activities, providing information to the litigants in a transparent manner and providing judges with easy access to legal and judicial databases.

Authorities responsible for implementation of the two Schemes in the State are:

CSS for Development of Infrastructure facilities for Judiciary	e-Court MMP
The Law and Legislative Affairs Department, headed by the Secretary (Law) to the Government of Manipur, provides facilities in terms of buildings, manpower and other infrastructure to the courts. The State Public Works Department (PWD) and the Planning and Development Authority (PDA), Manipur were responsible for construction and maintenance of court buildings and residential quarters for JOs.	The High Court of Manipur was the implementing agency for the project and the State Government is responsible for undertaking all the activities for sustainability of the project.

The funding pattern for 'Development of Infrastructure Facilities for the Judiciary' in respect of the NER States is 90:10 between the Central and State Governments. The 'e-Courts MMP' is fully funded by Central Government.

Table No. 1.2.1 Number of court cases pending in Manipur High Court and Subordinate Courts as on 31 December 2019

Pendency of cases which are more than 5 years old			Pendency of cases which are more than 10 years old		
Civil	Criminal	Total	Civil	Criminal	Total
948	266	1214	167	207	374

1.2.2 Accountability Framework

The High Court of Manipur is the highest court of justice in the State. There are 38 District and Sessions Judge Courts and other Subordinate Courts located at 15 court complexes.

The Law and Legislative Affairs Department (the Department), headed by Secretary (Law) to the Government of Manipur provides facilities in terms of buildings, manpower and other infrastructure to the courts. The Department is responsible for preparing plans, defining scope of works, providing clear site and funds and monitoring works at District and State Levels.

In respect of the implementation of e-Courts MMP, the e-Committee at Supreme Court of India was involved in policy planning and providing strategic direction and guidance for the effective implementation of the project. The High Court of Manipur was the implementing agency for the project and the State Government was responsible for undertaking all the activities for sustainability of the project.

The High Court of Manipur is assisted by the High Court Computer Committee (HCCC) headed by Chief Justice, Central Project Coordinator (CPC) at High Court, District Court Computer Committees (DCCC) headed by District Judge and a nodal officer for each district and sub divisional court complexes. The CPC was responsible for implementation of all the tasks entrusted by the e-Committee *viz.* coordinate with the e-Committee and vendors, Connectivity Providers, State Data Centre, *etc.*

Audit Framework

1.2.3 Audit Objectives

The objective of the schemes for development of judicial infrastructure as well as e-Courts was to improve the judicial infrastructure and the efficiency of the judicial delivery system. A Performance Audit on implementation of both these schemes *viz.* **‘Development of Infrastructure Facilities for Judiciary’ and ‘e-Courts MMP’** was carried out to assess whether:

- the envisaged infrastructure was created for the Judiciary and JOs at the District and Subordinate Courts level;
- e-Courts MMP was implemented effectively to enable ease of access of legal and judicial databases to the judges and provide information to the litigants in an effective manner;
- monitoring of the programme was effective to achieve the desired outcomes; and
- creation of additional infrastructure and transition to functioning in an electronic mode resulted in improved justice delivery systems.

1.2.4 Audit Criteria

Audit criteria were derived from the following sources:

- a. Guidelines for the development of infrastructure facilities for the Judiciary and Policy and Action Plan Document of Phase II of the e-Courts MMP;
- b. General Financial Rules, 2005 and 2017;
- c. Central Treasury Rules/ State Financial Rules;
- d. CPWD Works Manual;
- e. Standard Schedule Rates of the States; and
- f. Orders and instructions of the Central and the State Governments.

1.2.5 Scope of Audit and methodology

Performance audit of implementation of **‘Development of Infrastructure facilities for the Judiciary’** and **e-Court MMP** was carried out between June to December 2019 and covered the implementation of both these schemes during the five-year period 2014-19. The Audit included scrutiny of records of the Department, the Manipur State Legal Services Authority and High Court of Manipur, related to the implementation of the same. Audit scrutinised relevant records maintained by 19 District/ Subordinate Courts (seven court complexes) selected out of 38, using Probability Proportional to Size without Replacement Method and seven Public Works Divisions (*Appendix 1.2*).

Table No. 1.2.2 Sampled District and Subordinate Courts, District Level Services Authority

State wide		Audit Sample	Particulars/ Remarks
No. of districts in the State	9	5	Imphal West, Imphal East, Churhandpur, Thoubal, Ukhurul.
District Legal Services Authority	1	1	Manipur State Legal Services Authority.
District and Subordinate Courts	38	19*	All District and Subordinate Courts, except Junior Magistrate courts, newly established Narcotics Drugs and Psychotropic Substances (NDPS) Court and Motor Accidents Claims Tribunal (MACT)/Revenue courts were selected.

*Total No. of District & Subordinate Courts in five selected districts are 29.

Apart from scrutiny of records of the sampled offices, audit also conducted joint physical verification of the projects along with the departmental representatives.

Audit commenced with an Entry Conference (19 June 2019) with the officers of the Department, the High Court, the PWD and the PDA wherein audit objectives, audit criteria and scope of PA were discussed.

An Exit Conference was held (23 December 2019) with the Secretary (Law), Central Project Coordinator (CPC) of the High Court and the Chief Engineer (PWD) wherein the audit findings were discussed. The responses of the Government have been incorporated in the Report at appropriate places.

Audit Findings

1.2.6 Planning

A. Planning for Infrastructure

An Annual Action Plan (AAP) allows for a structured and well thought out strategy to achieve the targets set out in the long term plan. In terms of the Guidelines of the Scheme, the Department was required to submit proposals for development of judicial infrastructures in the State, annually to the Ministry of Law & Justice, GoI (the Ministry).

The High Court of Manipur prepared a Vision Statement for the High Court and Subordinate Courts of the State for the period 2013-18, setting out immediate and future requirements of the State's judiciary and submitted (April 2013) the same to the Ministry with a copy to the Law Department, Government of Manipur. Based on the Vision Statement of the High Court, the Department submitted (October 2014) a proposal for the period from 2014-15 to 2017-18 (**Appendix 1.3**) to the Ministry for approval. The proposal included a group of 29 works¹, 22 works to be undertaken immediately and the remaining seven group of works to be taken up after completion of the 22 works. Audit found that there was no correlation between the works proposed in the action plan and what was actually executed.

¹ Several different items of works were clubbed together and termed a single work, in the proposal sent to the GoI.

Audit also observed that in respect of Churachandpur and Ukhrul districts, the Courts in these districts were functioning in different locations. The District and Session Judge, Churachandpur is housed in a renovated Public Works Division office. Similarly, the District and Session Judge, Ukhrul was functioning in erstwhile Courts of the Chief Judicial Magistrate and the Judicial Magistrate First Class, Ukhrul and the Courts of the latter were housed in Mini Secretariat, Ukhrul. However, while selecting the works to be taken up during the coverage period, the State Government did not prioritise these locations and instead went ahead with extension of court complexes at Thoubal and Bishnupur.

Thus, in the absence of suitable buildings to accommodate all the Courts in a district in the same location, the Courts in these sampled districts were functioning in different locations.

The Department stated (December 2019) that construction of Court Buildings at Bishnupur and Thoubal, was in view of the opening of new courts in the districts. The High Court of Manipur also added that non-availability of land is also one of the hindrances for construction of infrastructure in the hill districts. The Department's reply points to the fact that the projects were proposed to the Ministry as a matter of routine without any due diligence.

Thus, the State Government has not provided requisite infrastructure for the District and Subordinate Courts during the five-year period. This would have a significant bearing in timely delivery of justice which is the cornerstone to enhance the public trust in Judiciary.

B. Planning for e-Courts

The e-Court Project was conceptualized on the basis of the "National Policy and Action Plan for Implementation of Information and Communication Technology (ICT) in the Indian Judiciary – 2005" submitted by the e-Committee of the Supreme Court of India with a vision to transform the Indian Judiciary. In Phase-I of the e-Courts Project beginning from 2007, a large number of Court Complexes, Computer Server Rooms and Judicial Service Centres were established for computerisation of District Courts. The District and Taluka Court Complexes covered in Phase-I were computerised with installation of hardware, Local Area Network (LAN) and Case Information Software (CIS) for providing basic case related services to the litigants and the lawyers. The Policy and Action Plan Document for Phase-II of the e-Courts Project was approved (January 2014) by the Hon'ble Chief Justice of India and GoI sanctioned the project in August 2015. The Courts covered in Phase-I were targeted to be provided with additional hardware (1+3) systems per Court Room in Phase-II. The Courts not covered in Phase-I and the newly established Courts were also targeted to be provided with (2+6) systems per Court Room and the Court Complexes were to be provided hardware, LAN *etc.*

1.2.7 Financial Management

1.2.7.1 Development of infrastructure facilities for the Judiciary

The cost of the projects sanctioned under CSS for development of infrastructure facilities to judiciary was to be shared between the GoI and the State of Manipur in the ratio of 90:10. The release of GoI funds to the State was subject to the following conditionalities:

- (i) Action plan for construction of court buildings and residential accommodation of JOs of Districts and Subordinate Courts to be submitted by the State Government; and
- (ii) Submission of Utilisation Certificates(UCs) for grants released to the State under the Scheme along with State share.

During audit coverage period 2014-19, the State Government received central share of ₹ 48.87 crore, they released State share of ₹ 7.35 crore. The details are given in the following table.

Table No. 1.2.3 Details of Central and State Share released during 2014 -19

(₹ in crore)

Year	Date of release by GoI	Date of release fund by GoM from funds received from GoI	Amount of Central Share	Date of release of corresponding State Share	Amount of State Share
2014-15	30.10.14	07.03.15 to 31.03.15	20.00	-	0.00
2015-16	15.12.15	16.03.16 to 29.03.16	20.00	29.08.15 to 10.07.17	5.04
2016-17	-	-	0.00	24.10.17	1.32
2017-18	-	-	0.00	-	0.00
2018-19	06.08.18 to 31.10.18	20.03.19 to 23.03.19	8.87	20.03.19 to 26.03.19	0.99
Total			48.87		7.35²

Source: Departmental Accounts.

1.2.7.2 Delay in release of funds

As can be seen from the **Table No. 1.2.3**, GoI funds were received in October 2014, December 2015 and August 2018, however, GoM released the funds only in March of that financial year with a delay of four to six months from the date of their receipts. These delays impacted the timely completion of the projects and the intended benefit from the projects.

1.2.7.3 e-Courts MMP

As per Policy & Action Plan of e-Courts Project Phase II, e-Committee of the Supreme Court of India undertook overall management of the project to ensure that the project was heading in the right direction and at optimal speed. The Ministry obtained the necessary financial approval from the competent authority for funds to be disbursed under the project to High Courts for the project components as per the recommendations of the e-Committee and

² State Matching Share: Up to 2013-14: ₹ 1.91 crore plus 2014-19: ₹ 5.43 crore.

released funds directly to the High Court of Manipur for implementation of the Scheme.

Table No. 1.2.4 Fund receipt and expenditure in respect of e-Courts

(₹ in lakh)

Year	Amount Sanctioned	Amount Utilised	Amount Unutilised
2015-16	53.00	53.00	-
2016-17	423.56	225.46	198.10
2017-18	118.60	29.72	88.88
2018-19	64.80	-	64.80
Total	659.96	308.18	351.78

During the period 2015-19, the High Court of Manipur received ₹ 659.96 lakh from the GoI for implementation of Phase II of the e-Courts MMP, of which, they incurred an expenditure of ₹ 308.18 lakh as on 31 March 2019, leaving a balance of ₹ 351.78 lakh (53.3 per cent) unutilised. Reasons for non-utilisation of available funds were as under.

- **Internet Connectivity:** Out of ₹ 92.40 lakh received during 2016-17 for internet connectivity, ₹ 33.72 lakh was utilised for payment of salary for technical manpower leaving an unutilised balance of ₹ 58.68 lakh as of October 2019.
- **Server:** The purchase orders were finalised only in October 2019 and funds of ₹ 57.00 lakh received during 2017-19 for server remained unutilised.
- **DG set:** Funds of ₹ 54.00 lakh received during 2016-17 for purchase of DG set also remained unutilised (October 2019).
- **Video Conference:** The process of tender was in progress as of October 2019. The High Court of Manipur stated (December 2019) that procurement of video conference equipment could not make headway as the specification given by the e-Committee and the bidder was not matching. The CPC has had a meeting with the e-Committee in December 2019 to resolve the matter. However, ₹ 46.95 lakh received during 2016-17 and 2017-18 for video conference facility remained unutilised (October 2019).
- **LAN:** Out of ₹ 38.98 lakh received during 2015-18 for LAN infrastructure, only ₹ 10.00 lakh was utilised as of March 2019 leaving a balance of ₹ 28.98 lakh due to issues in the tenders. The High Court of Manipur stated (December 2019) that the LAN installation had been completed except Family Court, Thoubal which was in progress.
- **Smart Phone:** Out of ₹ 4.80 lakh sanctioned for 40 smart phones during 2018-19, ₹ 2.96 lakh was utilised as of December 2019 for procurement of 27 smart phones leaving a balance of ₹ 1.84 lakh. The High Court of Manipur stated (December 2019) that whenever vacant posts are filled in, purchase of smart phones would be made.

There was no record to show that the High Court of Manipur had opted for other modes of purchase *i.e.* through National Informatics Centre Services Inc. (NICS), directly from the vendors on the rates approved by the Directorate

General of Supplies and Disposals (DGS&D) to expedite implementation of the Project. They instead delayed the tendering process and majority of funds for procurement of equipment remained unutilised.

While admitting the audit observation, the High Court of Manipur stated in the Exit Conference (December 2019) that in every tender only a few bidders from the nearby places like Guwahati, *etc.* submitted bids. The poor bid responses affected the timely finalisation of contracts. However, possibility of procurement from GeM to expedite implementation of the project would be explored.

Audit further observed irregularity pertaining to non-maintenance of separate bank account for e-Courts as discussed below:

The Chairperson of HCCC instructed (September 2015) the High Court to have separate and exclusive bank account for e-Courts Project funds. This was in order to delineate the e-Courts relevant transactions from other general transactions of the High Court.

Audit observed that the High Court opened (August 2015) an Account in State Bank of India in the name of CPC of the High Court exclusively for the use of e-Courts Projects. However, we did not find any transactions under the Project in the account. Instead, the transactions continued to be mixed up with other funds of the High Court and the separate bank account remained for namesake.

It was also noticed that the Registrar, High Court neither maintained separate books of account like Cash Book to capture the transactions pertaining to e-Courts nor recorded the transactions in the General Cash Book of the High Court, showing lack of transparency in expenditure.

Admitting the audit observation, the Registrar High Court stated (December 2019) that the e-Courts transactions would be done through the account opened for this purpose and proper accounts of the funds under e-Court would be maintained. The reply is not convincing, since the Department had not utilised the separate bank account opened, for the last five years nor had they recorded the transactions separately.

1.2.8 Programme Implementation

Infrastructure Scheme

1.2.8.1 Court Projects

The Department proposed ₹ 336.78 crore (*Appendix 1.3*) for 29 sets of work to the GoI for various construction and renovation works in nine District Courts complexes including quarters of Judiciary Officers to be taken up during 2014-18. It was, however, noticed that the Department took up 55 works (*Appendix 1.4*) for infrastructure development of subordinate judiciary with the sanctioned cost of ₹ 111.49 crore and incurred an expenditure of ₹ 67.59 crore.

Audit further observed that out of 55 works, forty-nine works were completed by incurring an expenditure of ₹ 35.17 crore while the six works (*nine per cent*)

were still on-going (October 2019). Out of completed works, expenditure of ₹ 32.71 lakh was incurred on completed work of repairing of compound wall of Court Building of Junior Magistrate First Class (JMFC), Kangpokpi in violation of Guidelines. The status of ongoing works is as shown in the Table below.

Table No. 1.2.5 Status of ongoing works

(₹ in lakh)

District	Name of Project	Sanctioned cost	Date of sanction	Expenditure	Status (as on October 2019)
Tamenglong	Construction of District Court Building at Tamenglong, Phase I	4588.68	23-03-15	1658.08	48 per cent complete. Balance fund awaited for completion.
	Construction of compound fencing of the existing CJM Court Complex and renovation of CJM quarter	163.80	20-10-14	70.00	43 per cent complete. Work stopped due to Land dispute.
Thoubal	Construction of G+3 Annexe building for the court of district & Session Judge	1555.97	11-03-16	835.94	75 per cent complete. Fund not fully released.
	Construction, renovation and repairing of District & Session Court Building	171.30	11-03-16	137.04	85 per cent complete. Balance fund awaited for completion.
Bishnupur	Construction of G+2 Annexe building for District & Session Judge court	1042.46	16-02-16	521.23	50 per cent complete. Balance fund awaited for completion.
Imphal	Construction of main gate at Cheirap Court Complex	19.99	30-10-18	19.99	90 per cent complete, reasons for delay not furnished.
Total		7542.20		3242.28	

It can be seen from the table above that an amount of ₹ 32.42 crore remained blocked in the incomplete projects. The works of construction of court building at Tamenlong district and annexe buildings of courts at Thoubal and Bishnupur districts remained incomplete for want of funds indicating non-prioritisation of sanctioned funds. In addition to the above incomplete works, the Department failed to provide encroachment free land for construction of quarters in Tamenglong.

1.2.8.2 Non-achievement of targets for creation of infrastructure

The Action Plan of the Department underlined the requirement of construction of new Court buildings, residential quarters of JOs and quarters for the staff of the Courts, renovation works and other constructions. Proposal for creation of core judiciary infrastructure for the period 2014-18 and achievements as on March 2019 are as given in the following table.

Table No. 1.2.6 Targets and Achievements of Works proposed under Action Plan

Name of district	Set of works proposed as per action plan	Proposed group of works broken down into individual works					
		Construction of New Court Building		Residential units for JOs		Extension/Improvement/Renovation works, Other Constructions ³ & Repairs	
		Proposed	Taken up	Proposed	Taken up	Proposed	Taken up
Senapati	3	1	-	3	-	3	3
Churachandpur	3	1	-	3	1	5	5
Imphal East	7	1	-	7	1	11	11
Imphal West	3	1		-			
Ukhrul	4	1	-	1	0	4	4
Chandel	3	1	-	2	1	5	5
Tamenglong	3	1	1	2	0	3	3
Thoubal	1	-	-	-	-	10	10
Bishnupur	2	-	-	3	0	10	10
Total	29	7	1	21	3	51	51

As evident from the table above, against a proposal of seven new Court buildings, construction could be taken up only in Tamenglong, where the work was in progress.

Residential Projects

The person-in-position of JOs was 40 against their sanctioned strength of 55 and only 12 residential quarters (30 *per cent*) for JOs were available in the State. In sampled districts, position of availability of residential units for JOs was three against the requirement of nine residential units, a shortfall of 66 *per cent*. Against the proposal to construct 21 quarters for JOs, only three quarters could be taken up and completed, out of which, quarter at Churachandpur district remained unoccupied as discussed ahead in **Paragraph 1.2.8.3**.

In addition to the above, 51 proposed renovations, repairs and other construction works were taken up during 2014-19, of which, five works are under various stages of completion as discussed in **Table No. 1.2.5**.

The Department stated (December 2019) that construction of residential quarters could not be carried out due to the non-availability of land.

1.2.8.3 Non-utilisation of completed infrastructure

During the Joint Physical Verification, Audit observed that during the period 2014-18, out of the completed projects, infrastructure created at a total cost of ₹ 242.05 lakh at Churachandpur, Lamphel and Thoubal Court Complexes remained unutilised as shown in the following table.

³ Construction of compound wall, security barrack, security tower, garage, parking site *etc.*

Table No. 1.2.7 Details of unutilised infrastructure (CSS)

(₹ in lakh)

Sl. No	Name of work	Expenditure incurred	Date of completion
1	Prisoner waiting shed, CJM Court complex, Churachandpur	1.85	24.04.2015
2	Chowkidar quarter in District Court complex, Churachandpur	9.28	05.06.2015
3	Garage with approach road in Lamphel Court complex, Lamphelpat	4.84	16.08.2015
4	Garage in District Court complex, Thoubal	8.78	21.02.2017
5	State JOs quarters at Churachandpur	217.30	07.06.2017
Total		242.05	

During the joint physical verification, Audit noticed that the infrastructure remained unutilised (October 2019) as shown in the following photographs.

Photograph No. 1.2.1 Photographs showing unutilised completed structures



Garage, Lamphel CC



Prisoner Shed, Churachandpur CC

The Prisoner Shed in Churachandpur Court Complex was unfit for use as prisoners' shed and was found surrounded with tall grass and approach road was in a very bad shape. The shed is necessary when multiple prisoners are required to be produced to the courts at the same time.

The CPC stated (December 2019) that only a few prisoners are produced at a time and hence there is no dire necessity of such shed. He added that this could be required in the near future and hence maintenance of the same is of immense importance as this being one of the requisite infrastructures of the courts.

The garage in the Court Complex, Lamphel was inaccessible for parking vehicles. The compound of the garage was not maintained and there was no approach road to the garage and thus the garage remained unutilised.

The Department stated (December 2019) that the proposed land development of Lamphel Court Complex would take care of the approach road to the garage. The Department added that there were some defects in JOs' quarters (Sl. No. 5) at Churachandpur, whereas the PWD submitted that the defect had been rectified.

The replies are not convincing since it is observed that against a proposal to construct three quarters for JOs in Churachandpur only one was taken up and that too remained unutilised since June 2017 due to defects in construction. It indicates that the proposals submitted for construction of houses for JOs were

not need based. The unutilised assets may be rectified on priority and used for intended purpose.

1.2.8.4 Non-availability of amenities in Court Complex

The Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 envisaged provision of ramps in public building so that the buildings are accessible to the physically challenged or specially abled persons. Accordingly, GoI while extending (November 2017) the Scheme up to March 2020 included the provision for ramps, *etc.*

Audit observed that the ramp facilities were not provided in seven Court complexes⁴ housing 19 sampled Courts as of March 2019. It was also observed that the State Government had taken up renovation of five Court buildings⁵ during 2014-19 without provision of ramp in the Court buildings.

The Department stated (December 2019) that provisions of ramp facilities are being considered in the construction of new court buildings. The reply is not tenable since the ramp facilities had to be provided as per the guidelines and the Department was aware of the same

Further, joint physical verification of seven court complexes showed that public toilets in three Court complexes⁶, housing 20 Courts, were locked and inaccessible causing inconvenience to the public and litigants, thereby defeating the very purpose of building these toilets. There was no approach road to the public toilet at Lamphel Court complex as the toilet complex was surrounded by bushes as depicted in the following photographs.

Photograph No. 1.2.2 Photographs showing locked/ inaccessible public toilets



Locked Public Toilet, Lamphel CC, with no approach road to access the toilet



Locked Public Toilet, Churachandpur CC

During Exit Conference (December 2019), the Department did not offer any comment on the audit observations.

Regarding public toilet at Lamphel Court complex, the PWD stated (December 2019) that provision of approach road would be considered while

⁴ (i) Cheirap Court Complex, (ii) Lamphel Court Complex, (iii) Thoubal Court Complex, (iv) Family Court Thoubal Court Complex, (v) CJM Ukhrul Court Complex (vi) DJ Ukhrul Court Complex (vii) Churachandpur Courts Complex.

⁵ Buildings at Lamphel Court Complex, Thoubal Court Complex, CJM Churachandpur, DJ Churachandpur and DJ Ukhrul.

⁶ Churachandpur, Cheirap and Lamphelpat Court Complex.

taking up land development work of the complex. The reply only reflects poor planning for works on part of the PWD.

e-Courts MMP

The objective of the Project is to provide designated services to the litigants, lawyers and Judiciary through the universal computerisation of District and Subordinate Courts as well as the upgradation of Infrastructure Communication Technology (ICT) infrastructure of the Supreme Court and the High Courts.

1.2.8.5 Excess procurement and Idle Equipment

(i) Computer hardware

As per Policy and Action Plan (PAP), Phase II of e-Courts Project, procurement of hardware was to be based on the proposal of High Court submitted to the e-Committee. For optimum utilisation of hardware resources and to avoid any excess/ shortage of hardware, the High Court was to make proposals taking into consideration the criteria of readiness of site, availability of space, availability of personnel to work on the hardware, workload, *etc.* in terms of automation of registry, library, record room and to undertake all services as per e-Court and Litigants' Charter.

During 2015-16, the Ministry sanctioned ₹ 43.00 lakh for provision of 116 computers for the Courts. The High Court of Manipur purchased 176 computers⁷ based on the availability of funds under the head. Of these 176 computers, 72 computers were issued (November 2016 and September 2017) to the 19 sampled Courts (*Appendix 1.5*) and 27 Computers to Manipur State Legal Services Authority (September 2017).

Joint physical verification revealed that 23 (42 *per cent*) of the total 55 computers issued to the seven sampled Courts and the Manipur State Legal Services Authority were lying idle due to non-automation of Courts and non-functioning of Judicial Service Centres for more than two years (December 2019). This indicated that the High Court of Manipur neither conducted any assessment of the requirement of hardware nor ensured their utilisation by the user court. This is depicted in the table given below.

⁷ 129 Computers in June 2016; 20 computers for District Courts in July 2017 and 27 computers in September 2017 for Manipur State Legal Services Authority.

Table No. 1.2.8 Idle stock of computers

Sl. No.	Name of Court	Month and year of issue	No. of computers issued	No. of computers lying idle
1	Fast Track Court, Manipur East	November 2016	4	2
2	Civil Judge Sr. Division, Imphal West	November 2016	4	1
3	Fast Track Court (CAW)	September 2017	4	2
4	Family Court, Thoubal	September 2017	4	3
5	District Judge, Churachandpur	November 2016	4	2
6	Chief Judicial Magistrate/ Civil Judge Senior Division, Churachandpur	November 2016	4	4
7	Chief Judicial Magistrate, Ukhrul	September 2017	4	1
8	Manipur State Legal Service Authority	September 2017	27	8
Total			55	23

The unpacked computers lying idle are as shown in the following photographs.

Photograph No. 1.2.3 Photographs showing idle computers



Idle Computer at Civil Judge, IW, Lamphel



Idle Computer at CJM, Ukhrul

The District and Sessions Judge and the Chief Judicial Magistrate, Churachandpur stated (September 2019) that the computers were not required as the Courts already had sufficient number of computers for day to day functioning of the Courts. Thus, the High Court of Manipur procured computer hardware and peripherals without assessing the requirement resulting in wasteful expenditure on idle stock. The idle computers should be immediately taken back before they become outdated and given to the courts/ offices which need them.

(ii) UPS 600 VA

The High Court purchased (February 2018) 136 UPS 600VA for ₹ 3.81 lakh for computers in the Court complexes, out of which 71 UPS were distributed (February 2018) to the 19 sampled Courts.

Joint physical verification revealed that 36 UPS (63 per cent) of the total 57 UPS (600 VA) issued to the 15 sampled Courts were lying idle for more than one and half year as shown in the following table.

Table No. 1.2.9 Idle stock of UPS (600 VA)

Name of Court	Number of UPS issued	Number of UPS in stock
District Judge Imphal East	4	1
Family Court Manipur	3	1
Chief Judicial Magistrate, Imphal East	4	3
Fast Track Court Manipur East	4	2
Fast Track Court Manipur West	4	2
Civil Judge, Senior Division, Imphal East	4	3
Civil Judge, Senior Division, Imphal West	4	3
Family Court Imphal East	3	1
District Judge Churachandpur	4	2
Chief Judicial Magistrate, Churachandpur	4	4
District Judge, Ukhrul	4	4
Chief Judicial Magistrate, Ukhrul	4	2
Family Court Thoubal	3	2
District & Session Court, Thoubal	8	6
CJM/Civil Judge (Sr.Div), Thoubal		
Total	57	36

The Chief Judicial Magistrate, Thoubal stated (October 2019) that there was no requirement of the UPS as the existing UPSs were sufficient for the Courts. Audit also observed that the computers in the Courts at Lamphel Court Complex were connected to Solar UPS and did not require individual UPS. Reason for non-utilisation of UPS in other Courts has been called for. Their reply is awaited (November 2019).

Thus, the High Court of Manipur procured computer hardware and peripherals without assessing the requirement thereby resulting in idle stock.

The High Court stated (December 2019) that there are vacancies of staff and JOs in the District and Subordinate Courts. The hardware items were procured based on the formula of e-Courts keeping in view the future expansion. But in the absence of manpower the hardware items were kept unutilised.

The reply is not acceptable as the hardware items would get obsolete and outdated in this fast-changing technology world.

1.2.8.6 Non-functional Judicial Service Centre

The Judicial Service Centre (JSC) in the Court complexes is to be utilised as a hub for reception cum inquiry and also as a Central Filing Centre (CFC). The JSC cum CFC is to be utilised along with other services for the litigants such as case status information, certified copies issuance, inquiries, etc. However, during the joint physical verification of 19 sampled Courts out of 38 Courts, Audit noticed the following.

In Cheirap Court complex the JSC remained non-functional. In Lamphel, Court complex there was no ICT infrastructure in the JSC and the room was laden with dust and scrap as shown in the photograph placed alongside.



Photograph No. 1.2.4 JSC at Lamphel Court complex

- i. In the District and Sessions Court, Churachandpur, the JSC was not utilised due to the shortage of manpower. Further, the Centre was not installed with requisite infrastructure.
- ii. In two Court complexes⁸, the JSC was used as store room for ICT equipment of the Court complex (photograph below) while in District and Sessions Court, Thoubal Court Complex, it was being occupied by the official of JMFC as office room (photograph below).

Photograph No. 1.2.5 Photographs showing non- functional Judicial Service Centres



JSC at Thoubal Court Complex



JSC at CJM, Ukhrul

In all seven Court complexes in the four sampled Districts, JSC was non-functional. Thus, the centre which would act as a hub for providing case related information to the public and lawyer to enhance public trust in justice system was not materialised.

While admitting the audit observation, the High Court of Manipur stated (December 2019) that the JSCs were non-functional due to shortage of personnel. In the absence of personnel, these centres were not equipped with ICT infrastructures.

1.2.8.7 Basic infrastructure requirement for a Court room

The basic infrastructures for a Court room are to enable the Court for registry processes like certified copies, computer generated summon/ notices/ warrants, retrieval of case records, workflow/ process automation, *etc.* The following deficiencies were noticed:

i. Non-existent Local Area Network (LAN) and internet connectivity

As per the PAP, Local Area Network (LAN) is one of the basic requirements for a Court room. The basic devices like Thin Client, Display monitor and Kiosk in every Court and Court Complex requires proper internet connectivity for displaying the information received from the server.

Out of the 19 sampled Courts, LAN connectivity was not established in Family Court, Thoubal. Further, in seven sampled Courts⁹ where LAN infrastructure was already established, there was no proper internet connectivity. Non

⁸ CJM, Ukhrul and Family Court, Thoubal.

⁹ FTC (CAW), CJMs at Ukhrul, Thoubal and Churachandpur, DJs at Ukhrul, Thoubal and Churachandpur.

availability of LAN and proper internet connectivity has hampered the proper functioning of basic devices installed in the Courts.

ii. Non Functional Display Monitors

Display monitor with Thin Client is one of the basic infrastructure requirements for a Court room for display of information such as details of Court room number, the sitting judge and the ongoing case number to inform the litigants and lawyers to reduce unnecessary crowding of the Court room.

It was observed that the High Court of Manipur procured (March 2018) 37 display monitors for ₹ 12.15 lakh for installation in the District and Subordinate Courts. Joint physical verification revealed that in eight¹⁰ out of the 19 sampled Courts, thin clients system was not functional due to the non-availability of reliable internet connection and consequently the display boards were not operational.

In the Court of Civil Judge, Senior Division, Imphal West, the thin client was not connected to any power backup. As such, it would not be functional every time there is power supply disruption. Also, there was no record to substantiate that the problem had been taken up for appropriate remedial measures.

Photograph No. 1.2.6 Photographs showing non- functional/ Idle Thin Clients



Thin Client-Non-functioning at DJ, Ukhrul and Idle at CJM Churachandpur

Thus, eight Courts failed to display requisite information for the litigants and lawyers and the equipment issued as a part of e-Courts Project Phase II by the High Court of Manipur remained idle. Since ease of access to information improves the access to justice, non-availability of the same impedes access to the case related information to the public and lawyers, thereby adversely affecting the public trust in the justice system.

The High Court of Manipur attributed (December 2019) the non-functional Display monitor with thin client to the technical problem in Server client and also stated that the same has been rectified. The fact remained that these had remained idle for long time since installation in March 2018.

¹⁰ FTC (CAW), CJM Ukhrul, Thoubal and Churachandpur, DJs Ukhrul, Thoubal, Churachandpur and FC Thoubal.

1.2.8.8 Basic infrastructure requirement of a Court Complex

i. Information Kiosk with printing facility

Phase II of the e-Courts MMP envisages providing of Kiosk in all Court complexes with a feature of printing the information being sought.

The High Court of Manipur procured 18 Kiosks from HSBL Technology, Bhopal for ₹ 17.93 lakh¹¹ for installation at different Court complexes (*Appendix 1.6*) in the State. Status of issue and utilisation of the information Kiosk machine to seven Court complexes of the 19 sampled Courts are as shown in the following table.

Table No. 1.2.10 Status of issue of information KIOSK machine

Sl. No.	Name of Court complex	Year of installation	Number of KIOSK machine issued	Status as on the date of Audit (September 2019)
1	Cheirap Court Complex, ImphalWest	November 2017	1	Non-functional
2	Lamphel Court Complex	November 2017	3	One had been installed. Two were in stock
3	Churachandpur Court Complex	November 2017	2	Information Kiosk machines were not installed in these Courts. Machines were in stock of the Courts.
4	Thoubal Court Complex (District and Session Judge and CJM)	September 2017	1	
5	Family Court, Thoubal	August 2019	1	
6	District Court, Ukhrul	September 2017	1	
7	CJM, Ukhrul	September 2017	1	
Total			10	

Out of the 10 Kiosk machines issued, only one in Lamphel Court Complex has been installed and functional without printing facilities. The rest were either in stock or non-functional after installation due to non-provision of proper LAN system, reliable internet facilities and lack of proper electrical equipment. Thus, the objective of providing case information through the touch screen Kiosk remained unachieved even after a lapse of more than three years of implementation of Phase II of the e-Courts Project thereby depriving the benefit to the needy users.

While admitting the audit observation, the High Court of Manipur stated (December 2019) that there were no LAN points for the machine and the contractors had been asked for fixing LAN points. The High Court further stated that e-Committee decided for provision of dedicated printer for the Kiosk. However, there was no provision of fund for the printers and also there were limited printers to spare for the Kiosk.

As regards non-functional of Kiosk at Cheirap Court complex, the High Court stated (December 2019) that possibility of issuing the machine in the stock of the Lamphel Court complex would be explored.

¹¹ August 2017 to March 2018.

ii. Delay in Scanning, Digitisation and Digital Preservation of case records

Digitisation of records of the pending cases and case records of the disposed cases is of immense importance to curtail the use and handling of physical paper and for easy retrieval when needed. This would help in saving space and infrastructures *vis-à-vis* maintenance of records in physical form.

The High Court of Manipur awarded (October 2019¹²) the contract for digitisation and uploading of case records/files to a private firm¹³ at the rate of ₹ 0.65 *per* page. The firm was to scan and digitise the case files within one year from the date of commencement of work and to upload the same after verification by the High court. As per record of the High Court, the approximate number of pages to be digitised was 80 lakh pages.

As of November 2019, the firm had digitised only 2.33 lakh (3 *per cent*) pages of case files out of which, the High Court had verified 93,488 pages. Thus, the pace of digitisation was tardy. Also, the verified scanned documents were uploaded in the local server only and not in the cloud computing for accessibility to the needy users.

The High Court of Manipur stated (December 2019) that there was delay in finding appropriate vendor. The number of pages to be digitised was a rough estimation and most likely that the actual could be lesser than the estimation.

iii. Non-availability of Video conferencing facilities for Courts and jails

As per PAP for Phase II of the Project, Video conferencing infrastructure for Courts is vital for ensuring routine remand of under trial prisoners and recording evidence in specific cases. Every Court complex in a State was to connect with the central jail and every Court complex in a district with the district jail.

Joint physical verification (September 2019) revealed that the Video-conference equipment were available in five¹⁴ out of the seven Court complexes. Of these, the equipment were utilised in only two Court complexes¹⁵. In the remaining three Court complexes, the equipment were not installed and remained idle.

The District and Subordinate Courts¹⁶ stated (October 2019) that the non-availability of video-conferencing has hindered smooth investigation and dispensing of justice, as routine remand and recording of vital evidences of sensitive cases could have been carried out conveniently and speedily. There are only two jails in the State and both jails are located in the capital district of the State. Thus, in respect of Churachandpur and Ukhrul districts, in many cases under trial prisoners could not be produced due to security reasons and the distance between the Court and jail.

¹² With retrospective effect from March 2019.

¹³ M/s Informatics Publishing Limited.

¹⁴ Court Complexes at Cheirap, Lamphel, CJM Ukhrul, Thoubal and Churachandpur.

¹⁵ (i) Cheirap Court Complex, Imphal West (ii) Lamphel Court Complex, Imphal West.

¹⁶ (i) Chief Judicial Magistrate, Churachandpur (ii) Chief Judicial Magistrate, Ukhrul.

The High Court of Manipur assured (December 2019) that the equipment would be installed and in this regard, the District and Subordinate Courts had been instructed accordingly. The High Court also assured that all facilities required by the Subordinate Courts would be provided.



Photograph No. 1.2.7 Uninstalled Video-conference equipment

1.2.8.9 Capacity building measures at State Judicial Academy

For sustainability of efforts of ICT training for JOs and Court officials, a full-fledged computer laboratory in the State Judicial Academies is indispensable. The Manipur Judicial Academy has been functioning in a small building in the High Court complex pending construction of Academy's building at Pangei.

The Academy received (September 2017) 20 computers from the High Court of Manipur for establishment of a computer lab under e-Courts MMP. However, the computers remained idle in the Academy without installation (August 2019) since there was no dedicated computer laboratory for the Judiciary Academy.

The High Court stated (December 2019) that the computers were used during hands on training programme for JOs. These computers were installed in the court room (No.5) and after completion of the training these were packed and kept back.

1.2.8.10 Judicial Process Reengineering

As per the Policy and action Plan for Phase II of the Project, a Judicial Process Reengineering (JPR) exercise is to be taken up to explore further automation of processes with the latest available technology. Status of the initiatives proposed to be taken up is as shown below.

Table No. 1.2.11 Status of Judicial Process Re-Engineering

Particulars of Processes	Audit Observations (As on October 2019)
Automation process serving: This mechanism is to be attempted to send Court processes through email to other Courts and to parties to address the issue of delays due to the non-service or late service of Court Process.	17 out of 19 sampled Courts did not have the mechanism of automated process serving.
No Manual Registers: To promote use of computer for Court processes, all Court registers should be maintained in e-Form only.	18 out of 19 sampled Courts did not maintain Court registers in e-Form.
e-Filing: An e-filing portal for the High Court and the District Judiciary to be developed for online Filing of cases.	e-Filing portal for the High Court of Manipur has not been developed to facilitate online e- Filing of cases.

Particulars of Processes	Audit Observations (As on October 2019)
<p>Judicial Financial Accounts Book Keeping Practice: In view of the increased accounting activities in the Courts on judicial as well as administrative side, the method of book-keeping suitable for Courts is Double Entry System. This needs considerable efforts as a part of JPR exercise.</p>	<p>The system of double entry book-keeping has not been initiated by any of the 19 sampled Courts.</p>
<p>Administrative Process Automation: To optimise the human resources in the Courts, automation of administrative function such as file movement and tracking, leave management, personnel information management system <i>etc.</i> are also the need of the day.</p>	<p>All the 19 sampled Courts had not started administrative process automation.</p>
<p>Workflow and process Automation: Official email for court staff, digital signature for JOs and court staff.</p>	<p>In six out of 19 sampled Courts, official email addresses were yet to be provided. In 15 out of 19 sampled Courts, digital signature for JOs have not been provided. Further, in all the sampled Courts, digital signatures for Court officials have not been provided.</p>

1.2.8.11 Judicial Knowledge Management System

Justice Delivery System is a knowledge intensive domain as the function of adjudication is governed by the vast and diverse laws; substantive as well as procedural. The knowledge based ICT enabled activities like Integrated Library Management Software (ILMS) need to be taken up. Court Libraries are to be equipped with robust library management software.

Audit observed that eight out of 19 sampled Courts (*Appendix 1.7*) did not have any library. In all the 19 sampled Courts, there was neither Library Management Software nor Digital library. As such, the facility for Digital library was not in existence in all the sampled Courts (December 2019).

While admitting the audit observation, the Department stated (December 2019) that Library is the responsibility of the District Judges.

1.2.8.12 Non-availability of technical manpower in the Court complexes

As envisaged in the PAP, every district should have at least one professional for technical support. The technical personnel would perform the functions in coordination and cooperation with the District System administrators.

Audit observed that in three¹⁷ out of five sampled Districts, there were no ICT personnel for the Courts. In the absence of personnel having direct bearing on implementation of e-Courts Project in the Courts, whenever any technical issue was encountered by the Court, the same was reported to the System Officer at Imphal East and West. However, the issues remained unresolved. This has impacted the successful implementation of the e-Courts Project in these districts.

¹⁷ Ukhrul, Thoubal and Churachandpur Districts.

1.2.8.13 e-Court Project Litigants' Charter

A number of multi-platform services were to be delivered to the litigants as charter of services through Phase II of the Project. The charter of services was to serve as a guiding baseline to make the Phase II of the Project as litigant centric as possible. The litigant's charter set out 30 services and seven platforms to be provided to the litigants. Number of services to be delivered through the platforms is as shown in the following table.

Table No. 1.2.12 Status of Litigants' Charter

Sl. No.	Platforms	Number of services to be delivered	Out of 19 sampled Courts, No. of Courts where none of the services were provided	Remaining sampled Courts where some of the services were provided	Range of services delivered by the remaining sampled Courts
1	SMS Push	15	6	13	5-11
2	SMS Pull	8	7	12	1-7
3	Email	24	13	6	7-9
4	Web	29	3	16	6-15
5	Mobile App	18	5	14	4-12
6	JSC	21	19	-	-
7	Kiosk	24	10	9	10-11
Total		139	63	70	

As can be seen from the above table, there were three to nineteen Courts where none of the services were provided through the seven platforms.

In sampled courts, out of the 30 services, 17 services were partially implemented while 13 services were not at all implemented as can be seen in *Appendix 1.8*.

Thus, due to nil/limited services delivery to the litigants in the sampled Courts, the Project is yet to be litigant centric even after a lapse of more than three years of its implementation in the State.

While admitting the audit observations, the High Court of Manipur stated (December 2019) that this aspect would be taken care of fully after recruitment of requisite staff of the courts.

1.2.9 Monitoring

1.2.9.1 Non-formation of District level Monitoring Committee

The Ministry advised (May 1999) the Chief Secretary of the States to set up District Level Monitoring Committee consisting of District Magistrate, District Judge or equivalent, Executive Engineer, PWD for monitoring the infrastructure development for the judiciary in the concerned district and submit quarterly reports to the State Level Monitoring Committee. However, the State Government did not constitute District Level Monitoring Committee in contravention to the instruction of the Ministry indicating lack of regular monitoring mechanism in the district level. There was also no record for monitoring of the works executed in the districts.

The State Government stated that no records could be found for constitution of the committee nor was there any record for monitoring.

1.2.9.2 Non-monitoring of infrastructure works by the Monitoring Committee headed by the Chief Secretary

The State Government has set up Monitoring Committee under the chairmanship of the Chief Secretary for monitoring the infrastructure development works in the State. However, neither record for monitoring the works by the Committee during the period 2014-18 nor any report on monitoring of the works by the Committee so established was noticed.

1.2.9.3 Non-submission of quarterly progress report

As per the guidelines, the State Government should submit quarterly progress report of the projects sanctioned under the scheme to the Ministry. However, the State did not submit quarterly progress report to the Ministry in contravention to the Guidelines. The State Government stated (September 2019) that there was no specific direction to State Government for submission of quarterly report to the Ministry and they were not aware of this requirement and assured that they will forward to the Ministry in future.

1.2.9.4 Non-existence of District Court Computer Committee

As per the PAP Document Phase II of the e-Courts Project, there would be a District Court Computer Committee in each district for overall monitoring of the project implementation in the district. However, the Committee was not in existence in the District Court, Churachandpur and hence in the absence of the Committee there was no monitoring of the implementation of the e-Court Mission Mode Project in the district.

1.2.10 Conclusion

The Action Plan which was prepared by the Department for 2014-18 and submitted to the Ministry of Law, GoI, had no correlation with actual execution done. The Department took up 55 works and incurred an expenditure of ₹ 67.39 crore, of which, six works remained incomplete. The quarters for JOs were constructed only in three districts *i.e.* Churachandpur, Imphal and Chandel, out of which the quarter at Churachandpur district constructed at a cost of ₹ 2.17 crore remained unutilised.

The implementation of e-courts MMP was not expedited. Out of ₹ 659.96 lakh received from the GoI for implementation of Phase II of the e-Courts MMP, the implementing Agency could incur an expenditure of ₹ 308.18 lakh (46.67 *per cent*) only as on 31 March 2019 due to slow spending. The High Court of Manipur did not assess the total requirement of hardware to ensure optimum utilisation of hardware resources and to avoid any excess/shortage of hardware for the Courts. It was seen that twenty-three (42 *per cent*) of the total 55 computers issued to the seven sampled Courts and the Manipur State Legal Services Authority and 36 UPS (63 *per cent*) of the total 57 UPS (600 VA) issued to the 15 sampled Courts were lying unused in stock, for more than two years and one and a half years respectively. Video-conferencing, information kiosks machines, Thin Clients with display monitor were not functional, as of

October 2019, due to non-reliable internet facilities and LAN system in the sampled Courts at Thoubal, Churachandpur and Ukhrul districts.

The Judicial Service Centre to be utilised as a hub for reception cum inquiry and also as a central filing centre, were not functional in any of the test checked Court complexes for want of manpower and ICT infrastructure. Under Judicial Process Re-engineering exercise, e-filing portal has not been developed for Manipur High Court, automation of administrative functions and double entry book keeping has not been started in any of the sampled courts. E-Registers were maintained only in one of the sampled courts and automation process serving was there in two of the sampled courts. In six out of 19 sampled Courts, official email addresses were yet to be provided. The digitisation of records was tardy with only three *per cent* of the target being achieved. In all the 19 sampled courts there was neither any Library Management Software nor a Digital Library.

In three districts out of five sampled Districts, there were no ICT personnel for the Courts, impacting the successful implementation of the e-Courts Project in these districts.

The ambitious e-Court program which was to digitise the court-processes and expedite justice delivery system failed to take off due to improper planning.

1.2.11 Recommendations

The State Government may consider following recommendations:

- *Comprehensive Annual Action Plans may be prepared with the clear-cut objectives and timelines. The Plans may prioritise accommodating of all Courts in a district in one Complex preferably;*
- *The ongoing projects of court buildings at Tamenglong, Thoubal and Bishnupur Districts may be completed on priority;*
- *Provision of need based residential units to the JOs may be ensured;*
- *The completed unutilised structures may be put to use so as to prevent the deterioration of structures due to passage of time and lack of maintenance;*
- *Possibility of procurement from GeM to expedite implementation of the e-court MMP may be explored. The procured unutilised hardware may be installed at the courts where there is requirement lest they become obsolete and future procurement should be need based;*
- *Provision of reliable internet facilities and proper LAN System to all the Courts and Court Complexes in the State so that Video-conferencing facilities are made available to the Judiciary;*
- *Operationalise Judicial Service Centre cum Central Filing Centre with installation of requisite infrastructure and posting of manpower to ensure provision of services to the litigants and lawyers;*

- *Judicial Process re-engineering activities like e-filing portal, automation of administrative functions and process serving, maintaining e-registers, providing digital signatures and e mail addresses for JOs and officials may be extensively taken up in the courts; and*
- *Provide adequate technical personnel to the District and Subordinate Courts in the State for taking care of technical issues in the Courts immediately.*