

By Speed Post

No. J-11011/02/2011-JR
Government of India
Ministry of Law & Justice
(Department of Justice)

Jaisalmer House, New Delhi-11
Dated the 15th March, 2011

To
The Chief Secretaries
All States (except UTs)

Subject : Implementation of recommendation of Thirteenth Finance Commission - Guidelines for release and utilization of Grant-in-aid for Improvement in Justice Delivery issued by Ministry of Finance – clarification thereof.

Ref : Ministry of Finance letter No. 32(30) FCD/2010 dated 20.09.2010.

Sir,

Kindly refer to the guidelines issued by Ministry of Finance regarding release and utilization of Grant-in-aid for Improvement in Justice Delivery as recommended by the TFC vide their letter No. 32(30) FCD/2010 dated 20.09.2010.

2. The matter relating to certain issues raised by State Governments / High Courts in the utilization of the grants was considered by the Review Committee of Government of India in its meeting held on 24.02.2011. The Review Committee has approved the following relating to the mode of recruitment to the post of Court Managers and the utilization of infrastructural grants for ADR Centres, Heritage Court Buildings and State Judicial Academies:-

- (1) **Court Managers:-** The qualification prescribed in the guidelines is a degree or advance diploma in General Management and 5 years experience in IT system management etc. The post of a court manager would be created in each judicial district and in High Courts / High Court benches.

To enable the courts to have a wider field of choice, in addition to direct recruitment, the guidelines shall also include the following:

“in addition to the direct recruitment with the minimum qualification already provided in the guidelines, these posts may be filled up through deputation from employees of Government / PSUs / Government and semi-Government autonomous bodies / Government Law Universities and Government colleges having the minimum qualification as mentioned in the Annexure II of the guidelines.”

- (2) **Heritage Buildings :** Some High Courts / State Governments have reported that there are not sufficient heritage buildings to absorb the earmarked funds. As per the existing guidelines, the funds can be diverted between

components except from non-infrastructure component to infrastructure components.

However, to impart further flexibility, it has been decided that the funds can be diverted from one category of infrastructure item to another category of infrastructure item subject to the approval of High Level Committee. However, the total allocation for the three infrastructure components namely, establishment of ADR centres, maintenance of heritage buildings and physical infrastructure of State Judicial Academies will not be exceeded.

For example, if State A has ₹ 3 crore for heritage building, ₹ 5 crore for ADR centres and ₹ 15 crore for the Judicial Academy, moving funds between these 3 components is allowed provided the total allocation for the 3 components does not exceed ₹ 23 crores.

It is to be noted that where there are heritage buildings, necessarily the funds need to be used for the maintenance of the same.

Yours faithfully

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Copy to:-

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2. Director, National Judicial Academy, Bhopal
3. Member Secretary, NALSA, Jamnagar House, New Delhi
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