

All India Judges' Association and Others

Vs

Union of India and Others

Writ Petition (C) No. 1022 of 1989

(B. N. Kirpeal, V. N. Khare JJ)

07.01.1998

ORDER

1. The time for compliance of the directions contained in the last para of our order dated 17-12-1997 is extended up to 9-2-1998 instead of 3-1-1998. Shri A. T. M. Sampath, Advocate, will give information of the same to the Registrars of the respective High Courts.
2. The response of the State Governments except the State of Sikkim remains the same as mentioned in the previous order dated 17-12-1997. Having heard learned counsel for the States in addition to the learned amicus curiae and the learned counsel for the Intervenor - All India Judicial Employees' Confederation District and Sessions Court, we make the order as indicated hereafter.
3. In order to avoid escalation of the existing discontent amongst the staff of the subordinate courts in the States and for the reasons indicated in the previous order, we request the Shetty Commission to examine the matter and to make a report to this Court about the steps, if any, required to be taken in each State/Union Territory for the improvement of service conditions of the supporting staff attached to the courts and further to also suggest interim measures of relief in respect of such staff of the subordinate courts in particular States/Union Territories. In doing so, the Shetty Commission would take into account the facts and circumstances peculiar to any State/Union Territory placed before it by the State/Union Territory concerned. The points of distinction, if any, between the States/Union Territories which may be relevant for this purpose may also be taken note of in making the report. This aspect of the matter would be considered by the Court on receipt of the report of the Shetty Commission. The Shetty Commission is requested to give its report as early as possible. The States/Union Territories are required to file their statements together with the relevant documents before the Shetty Commission within eight weeks. The States/Union Territories will take the necessary steps to assist the Shetty, Commission in the performance of this task including furnishing of all such information which may be needed for the purpose by the Shetty Commission. The High Courts are also requested to act likewise and to furnish all the requisite information to the Shetty Commission. To facilitate the Shetty Commission in the performance of its task in the discharge of this additional burden, the All India Judicial Employees' Confederation District and Sessions Court (Intervenor) is permitted to assist the Commission.
4. Copy of this order be sent to the Shetty Commission, the Registrars of the High Courts and the Chief Secretaries of the States/Union Territories.
5. List on 9-2-1998.

Court Masters