

SUPREME COURT OF INDIA

All India Judges' Association

Vs.

Union of India

(B Kirpal and U C Banerjee JJ.)

08.04.1999

ORDER

1. Mr. Sampath, learned Counsel has filed the status Report as on 5-4-1999. It appears from the same that most of the directions which were issued by this Court in the main judgment of All India Judges Association's Case and in the review judgment in 1993 (4) SCC 228, have been complied with. There are however certain areas in respect of which there is non-compliance. We shall deal with the same presently :

2. As regards the residential accommodation, the direction has been substantially complied with in all the States and where there is shortcoming, the States concerned have stated that some quarters/accommodations are under construction. We direct that the shortcomings as regards the providing of residence to the Judicial Officers, should be made good and the residential accommodation provided to all the Judicial Officers latest by 31st July, 1999. We may at this stage point out that some Subordinate Judges in Goa and West Bengal, who have not been provided with sufficient accommodation, should be given the same by the said date.

3. Coming to the direction with regard to the providing of vehicles/staff cars to the District Judges, chief Judicial Magistrates, Additional District Judicial Magistrates and other Officers. The union Territory of Chandigarh and the States of Punjab and Haryana have not made adequate provisions. In view of increase in number of Judicial Officers, the Union Territory of Chandigarh as well as the said States are directed to give sufficient number of vehicles/staff cars to the Judicial Officers in terms of the earlier orders passed by this Court, latest by 31st July, 1999.

4. As far as the State of Gujarat is concerned, it had been noted at an earlier point of time that vehicles were not provided to the Chief Judicial Magistrates as the High court had stated that these officers do not have to do any touring duty. We, however, find that this Court in paragraph 39 of the

All India Judges' Association's Case has directed that independent transport for the Chief Judicial Magistrate should be provided. This being so, the State of Gujarat should comply with this direction of our order by 31st July, 1999 and provide independent vehicles to the Chief Judicial Magistrates.

5. The Judicial Officers in Goa also have not been provided with the vehicles as per the directions which had been issued. There is only partial compliance of this direction so far. The State of Goa is also directed to comply with this direction by 31st July, 1999.

6. As far as the State of Orissa is concerned the High Court has indicated that the Additional District Judges have to travel in public transport while holding sessions trial in Circuit Courts, this is highly undesirable. We direct the State of Orissa to make available to such Additional District Judges suitable transport meant exclusively for them.

7. Learned counsel for the State of West Bengal submits that the State has complied with the directions with regard to the providing of vehicles/staff cars as is evident from its affidavit filed in July 1995. In our opinion, it would be appropriate if a fresh affidavit is filed stating the position as of today insofar as the question of providing vehicles/staff cars is concerned. The State of West Bengal will also indicate in the affidavit to be filed as to whether every Judicial Officer has been provided with an accommodation as directed by this Court. If an accommodation has not been provided explanation for the same should be furnished.

8. The Status Report, filed by Mr. Sampath shows that hardly any State has been able to provide with residential library to the Judicial Officers. The needful should be done by the States concerned by 31-7-1999, if not already done.

9. The Registrars of the High Court's, who have filed report here should give copies of the same to the standing counsel for their State.

10. To come up for further orders on 10th August, 1999.