

CHAPTER 8. COURT, VIGILANCE AND PUBLIC GRIEVANCE CASES

8.1 Cases in Judicial and Estate Officers Courts

As per the earlier Audit Report of 2000, there were 186 pending cases in the court of the Estate Officer, who acts as a semi-judicial officer under the Public Premises (Eviction of Unauthorized Occupants) Act, 1971. As of September 2008, total cases pending with the Estate Officer had risen to 323.

In addition, there were 592 cases pending in the judicial courts. The details of the cases pending in Judicial and Estate Officers Court are summarized below:

Table-7 : Age-wise pendency of cases

Period	Number of cases in Judicial Courts	Number of cases in Estate Officer Court	Total
1970-79	Nil	47	47
1980-89	13	160	173
1990-99	43	26	69
2000-08	380	87	467
Dates of filing the suits not available	156	03	159
Total	592 ¹²	323 ¹³	915

The pendency of cases adversely affected L&DO's ability to take punitive action for recovery of outstanding dues, rectification of breaches etc. The Ministry stated that the pendency was beyond its control as it neither had any legal section nor any panel of advocates of its own and it had to depend on the Government Counsels appointed by Ministry of Law.

It was gathered that a legal cell was functioning in the L&DO in 2001, however, the reasons for dissolution of the cell or the efforts made to revive it were not intimated to audit. The posts of Vigilance Officer and Legal Officer were merged in 1998; reasons or records pertaining to the merger of the posts could not be made available to Audit.

The Ministry admitted that no regular Estate Officer was available in L&DO since long, and the charge was being dealt with on temporary basis by one or other Branch Officer.

¹²For 156 cases, the suit numbers were not mentioned.

¹³For 3 cases, the details of filing the case were not given.

8.2 Vigilance Cases

The position of the cases dealt with by the vigilance cell of L&DO is shown below:

Table-8 : Present status of cases

Cases pending as of April 2003	27
Cases initiated during April 2003 to March 2008	44
Cases pending till August 2008	23

As of August 2008, 23 cases were pending, of which 4 cases pertained to periods prior to April 2003.

In reply, the Ministry stated that 10 vigilance cases had since been settled. Of the four cases pending for more than five years, in three cases, the reports of the Inquiry Officers had been received.

8.3 Public Grievance Cases

Out of 53 public grievance cases outstanding as on 31 March 2008, 14 cases were still pending as of May 2008, despite the norm of 42 days for settlement of such cases prescribed by the Department of Administrative Reforms & Public Grievances.

Recommendations

15. The number of pending cases with the court of the Estate Officer is high. This is an internal court of the L&DO, which is entirely responsible for the delay. L&DO and the Ministry should ensure adequate number of Estate Officers to ensure speedy settlement of cases.
16. L&DO should also strengthen the human resources in its Vigilance, Legal and Public Grievance Cells, to facilitate effective and speedy responses in judicial cases, and quick settlement of vigilance and public grievance cases.