

News

Rajasthan High Court Forms Committee To Investigate Administrative Shortcomings In The Office Of Government Advocate, Asks For Report On Suggested Reforms



The Rajasthan High Court issued such orders in the wake of the complex issues now being faced by the office of the Government Advocate.

Reiterating the imperative need for implementing thoroughgoing administrative reforms in order to enhance the working of the office of the Government Advocate, the Rajasthan High Court has instituted a 5-member committee to investigate the administrative necessities and recommend reforms in order to assist systemic changes to achieve overall efficiency of the Office.

Rajasthan High Court was hearing an application under Section 482 of the Code of Criminal

Procedure for quashing an FIR registered under Section 341 and 323 of the Indian Penal Code. The Single Judge bench of Justice Farjand Ali allowed,

"Given the above observations and the multi-dimensional problems presently encountered by the office of the Government Advocate, this Court's considered opinion is that a full committee be formed to study, in depth, the existing deficiencies, shortcomings, structural needs, and administrative requirements."

"The report will contain empirical observations, sound suggestions, and recommended reforms, which will assist this Court in implementing system changes to improve the overall effectiveness, accountability, and integrity of the Government Advocate's office",

it added. Petitioner was represented by Advocate Pritam Solanki, while Dy.G.A. Vikram Rajpurohit represented the Respondent. Factual Background During the year 2013, a coordinate bench of the High Court, in its previous order had already taken cognisance of the serious administrative shortcomings that were afflicting the office of the Government Advocate at the Jodhpur Principal Seat.

The aforesaid order emphasized the matters of grave importance, such as the acute ministerial staff shortage, the dearth of infrastructure, insufficient payment to State Law Officers, and the consequent procedural delays retarding the dispensation of justice. It was also observed that even though the law officers are skilled, lack of clerical and technical help prejudicially impacted the prosecution of even petty offences under Sections 341 and 323 IPC.

Reasoning And Directions:

For the smooth and effective working of the Government Advocate's office, the Bench recommended the setting up of a properly framed administrative support system with the staff composition consisting of Upper Division Clerks (UDCs), Lower Division Clerks (LDCs), peons, stenographers, file managers, computer operator and a Section Officer to look after matters regarding criminal writs, Misc. Section 482 CrPC petitions and new legislation and proceedings thereof.

"In light of the heavy litigation workload and the office's working requirements, where roughly 600 to 700 case files need to be generated before different benches of the Court on a daily basis, a strong logistical structure is necessary.". This requires the engagement of sufficient Class IV staff for enabling quick withdrawal and production of case files from the offices of various court rooms and

for making them reach back to the G.A. 's office within time", it stated.

The Bench also noted that every Government Advocate should be provided with an exclusive clerk for administrative and file handling support

. The Bench also observed that the Government Advocates, especially the ones who are representing the State in serious crimes, tend to be exposed to increased risk and possible threats of violence by those or groups prejudicially affected by the position taken by the prosecution.

The Bench stated,

"In particular, a specialized floor of the Government Advocate building should be designated for security staff, with a minimum of six armed constables permanently stationed on that floor."

Each constable would be armed with the necessary arms to deter and counter any emergent danger.

This security escort is especially essential outside the offices of the Additional Advocate Generals (AAGs), where law enforcement personnel including the Rajasthan Police Service (RPS) and Indian Police Service (IPS) officers regularly attend meetings in connection with the prosecution of high-value criminal cases. Rajasthan High Court Directs Restoration Of Private School Staff Members Whose. In an effort to protect the sanctity of Judicial Records, the Bench proposed appointing a specific cadre of experienced and well-trained staff who will be held strictly responsible for dereliction of duty or misconduct.

Coming in succession was the question of the huge pendency of cases arising from multiple courts Jodhpur and Jaipur. On this point the Bench took the view,

" It is suggested that a permanent deputation of an Inspectorlevel police officer be made to the Government Advocate's office, assisted by a team consisting of three head constables or constables. This unit shall be the liaison wing, keeping in touch permanently with all district headquarters in the State of Rajasthan by means of radiogram facilities."

A dedicated landline telephone line must also be permanently installed along with a specific room or office to accommodate this communication cell." Therefore, the Bench directed a full-fledged committee to be formed to review the issues presently being confronted by the office of the Government Advocate.

"The mandate of the committee's functions shall include making such recommendations as are appropriate for capacity building, administrative reforms, and infrastructural upgradation."

In addition,

the committee will also review the current emoluments and service conditions of the support staff and recommend suitable suggestions for rationalisation and upgradation of their pay scales and benefits, as per their duties and responsibilities, it held.

According to the Bench,

the committee will include Senior Advocate(Jodhpur) Anand Purohit, Senior Advocate(Jodhpur) Vineet Jain, Advocate(Jaipur) Vibhuti Bhushan Sharma, Advocate(Jaipur) Ghanshyam Singh Rathore and Advocate(Jodhpur) Dinesh Godara. Fixing the matter on May 20, 2025, for further hearing,

the Bench ordered the Committee to file the report prior to the next hearing date.