

# Paramount Law Times Newsletter



*(For uptodating law and events)*

**2014-15 – (second half)**  
**Issue no 0022**  
**Dated 20 October, 2014**

**Present Issue :**

*Budget of Judiciary*

**Dr. S. K. Kapoor**  
*(Ved Ratan)*

## ***Budget of Judiciary***

**Dr. S. K. Kapoor**  
*(Ved Ratan)*

### ***Functional split of sovereignty***

1. Indian Constitution accepts the principle of functional split of sovereignty.
2. Executive, legislature and judiciary are three sovereign organs of Indian States. Executive is under the direct vote of confidence of legislature. However judiciary is absolutely independence of any such restraint.
3. This being so the question of budget for judiciary, is one such aspect which deserve fresh visit to the existing functionalities of budget determination.
4. Budget determination is constitutionally vested with the legislature.

### ***Budget for Judiciary***

5. Under the Constitutional scheme, budget for judiciary is to be determinant by legislature. However, the sovereign status of judicial organ of Indian state and the functional sovereignty of judiciary which descends right uptill the foundational level courts, as such the budget determination for functional sovereignty of judicial organ of Indian State requires extra sensitive attention and steps.

### ***WELCOME ANNOUNCEMENT***

#### **State Judicial Services preparations Guidance facility**

Finding necessity for guidance for all those preparing for State Judicial Services Competitions Examinations, Paramount Law Consultants Ltd. has decided to help with valuable guidance. Interested persons are welcome.

#### **Legal Audit and Moral Audit Services**

Paramount Law Consultants Ltd., Delhi has completed its research and is taking up legal audit and moral audit services for the Corporates.

**Subhash Nagpal**  
Chairman  
Paramount Law Consultants Ltd., Delhi

6. The determination of budget for judiciary, at both levels of Union of India as well as State of India shall be exclusive conscious exercise.
7. Traditionally railways as a big department, is getting such attention.
8. The case of judiciary is at much higher sacrament platform to be respected with the dignity of sovereign.

#### **Sundry expenses to charge upon consolidated funds of India**

9. The budgetary history of Judiciary is of the range of provisions of Sundry expenses of municipal level necessity to sanctified charge upon the consolidated funds of India.
10. With legislative and judicial recognition as that each and every court at each and every level exercises and performs sovereign powers and duties
11. The exclusive budget determination has become overview.
12. Parliament and State legislature are under constitutional expectations that there shall be separate budget determination for judiciary in special sessions of the legislature

#### **Introspection opportunity**

13. The special budgetary sessions, as such in addition to everything else shall be providing golden opportunity for introspection and evaluation of Index of judicial discharge of duties as well.

\*