

6 Head 4 – Judges of the Superior Courts

6.1 Non-maintenance of Registers and Books

It was observed during the course of audit test checks that the Department had not maintained the following registers while certain other registers had not been maintained in the proper and updated manner.

Type of Registers	Relevant Regulation	Observation
Register of Fixed Assets	Treasury Circular No.842 of 19 December 1978	Not maintained
Register of Audit Queries	Financial Regulation 452 (1)	Not maintained
Petty Cash Book	Financial Regulation 446	Not maintained
Register of Cheques and Money Orders	Financial Regulation 451	Not maintained
Register of Losses	Financial Regulation 110	Not maintained
Register of Electrical Equipment	Financial Regulation 454 (2)	Not maintained
Register of Liabilities	Financial Regulation 214	Not maintained
Register of Fuel and Lubricants	Financial Regulation 1647 (d)	Not maintained
Register of Listing of Motor Vehicles	Financial Regulation 1647 (e)	Not maintained
Register of Computers, Accessories and Software	Treasury Circular No. IAI/2002/02 of 28 November 2002	Not updated.
Register of Official Telephones	Financial Regulation 845(1)	Not updated

6.2 Appropriation Account

Budgetary Variance

The following observations are made.

- (a) The entire net provision of Rs.3,000,000 made for 02 Objects had been saved.
- (b) Excess provisions amounting to Rs.177,755,701 had been made for 10 Objects and as such the savings, after the utilization of provisions, ranged from 30 per cent to 97 per cent of the net provisions relating to the respective Objects.

6.3 Reconciliation Statement of the Advances to Public Officers Account

Contrary to the Public Administration Circular No.30/2008 dated 31 December 2008, a distress loan exceeding Rs.250,000 had been granted to an officer in the year 2010.

6.4 Good Governance and Accountability

6.4.1 Annual Action Plan

The Action Plan for the year under review in terms of the Public Finance Circular No. 01/2014 of 17 of February 2014 had not been prepared.

6.4.2 Annual Procurement Plan

The Annual Procurement Plan for the year 2014 in terms of the National Budget Circular No. 128 of 24 March 2006 had not been prepared.

6.4.3 Internal Audit

An Internal Audit Unit had not been established.

6.4.4 Audit and Management Committee

Meetings of the Audit and Management Committee had not been held.

6.5 Assets Management

Even though the Report of the Board of Survey for the year 2014 should be forwarded to the Auditor General before 17 March 2015 in terms of the Public Finance Circular No.02/2014 of 17 October 2014, those reports had been forwarded on 11 June 2015 after a delay of 3 months.

6.6 Performance

According to the Performance Report of the Ministry of Justice for the year 2014, the performance of the Judges of the Superior Courts Department had been as follows.

(a) Performance of the Supreme Court

Performance on the cases to be adjudicated by the Supreme Court is given below.

Category of Cases	Number of Cases awaiting adjudication as at 01 January 2014	Number of Cases registered in the year 2014	Total Number of Cases awaiting to adjudication in the year 2014	Number of cases allowed on application in the year 2014	Number of cases finalised in the year 2014	Number of Cases awaiting verdict as at 31 December 2014
Applications on Fundamental Rights	817	369	1,186	-	448	738
Special Leave Applications	379	261	640	74	230	336
Supreme Court Orders on Parliamentary Acts	-	05	05	-	05	-
Appeal Cases	368	199	567	-	211	356
Commercial High Court Appeal Cases	257	88	345	-	121	224
High Court Applications	153	80	233	13	74	146
Writ Applications	01	02	03	-	01	02
Provincial	1,103	686	1,789	155	458	1,176

High Courts Appeal Cases						
Revision Cases	-	07	07	-	02	05
Cases of Interpretation of the Constitution	01	-	01	-	-	01
Sundry Cases	06	04	10	-	01	09
SC TAB APPEL	01	01	02	-	02	-
SC SPECIAL	07	08	15	-	02	13
Total	3,093	1,710	4,803	242	1,555	3,006

According to the above information, the total number of cases for adjudication by the Supreme Court as at 31 December 2014 had been 3,006.

(b) Performance of the Court of Appeal

The performance on the cases to be adjudicated by the Court of Appeal is given below.

Category of Cases	Number of Cases awaiting adjudication as at 01 January 2014	Number of Cases registered in the year 2014	Number of cases finalised in the year 2014	Number of Cases awaiting verdict as at 31 December 2014
Writ Applications	1,135	416	348	1,203
High Courts Appeals	817	283	243	857
Provincial High Courts Appeal	1,224	200	307	1,117
Civil Appeals	1,379	-	398	981
Provincial High Courts Revision Applications	285	156	159	282
Revision (Civil) and Application for Appeals	113	20	49	84
Other Applications	82	90	33	139
Total	5,035	1,165	1,537	4,663

According to the above intimation the total number of cases for adjudication by the Court of Appeal as at 31 December 2014 had been 4,663.