

The Supreme Court *of* India



Annual Report
2008-2009





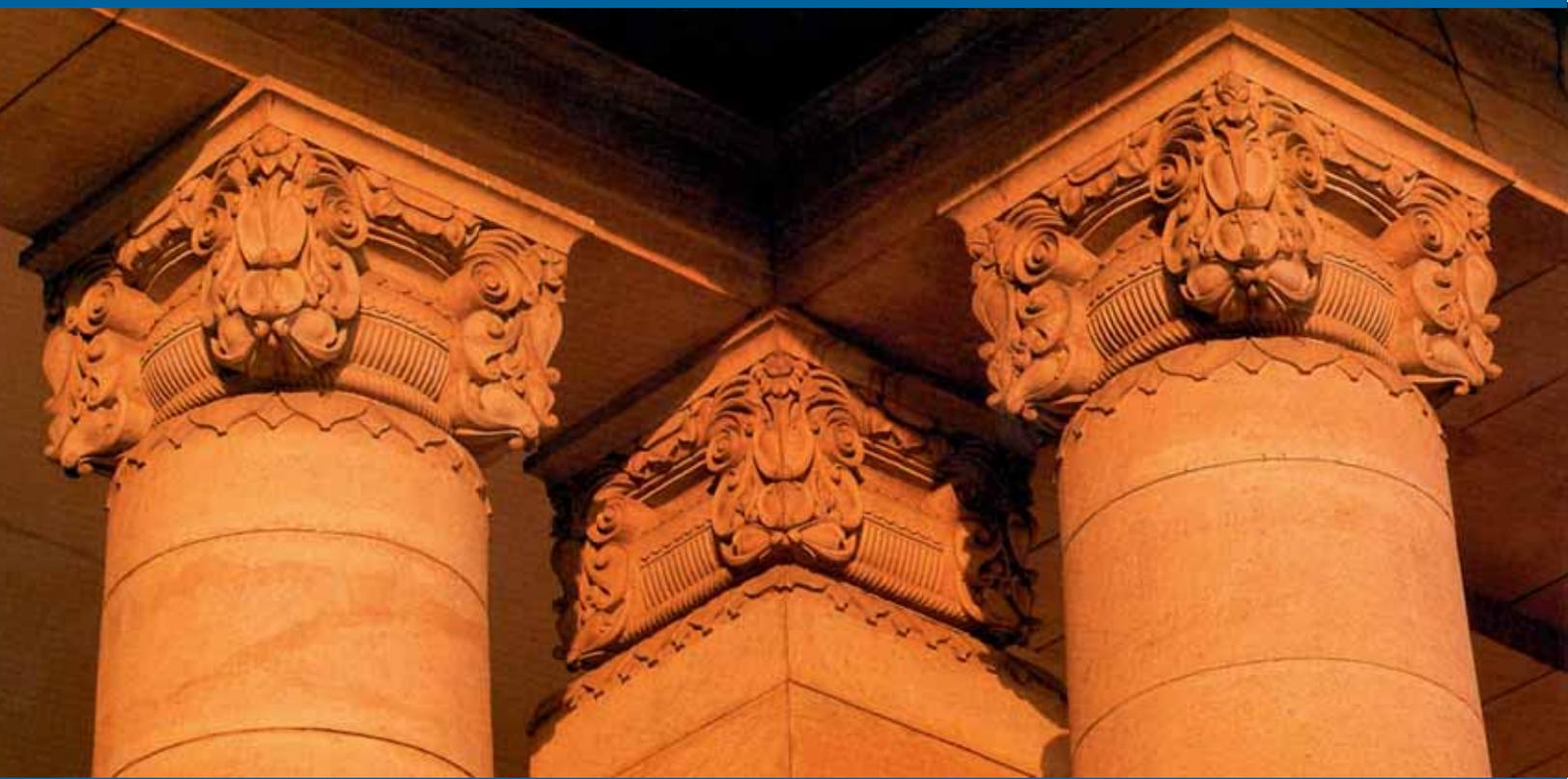
The Supreme Court of India

Annual Report
2008-2009

(Published by the Supreme Court of India)







EDITORIAL COMMITTEE:

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Hon'ble Dr. Justice Mukundakam Sharma

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From the Desk of the Chief Justice of India

It is my proud privilege to present the Annual Report of the Supreme Court of India for the year 2008-2009. The intent behind the publication of this Annual Report is to ensure the dissemination of authentic information about the composition and functioning of this institution. Given its status as the apex court in India's judicial system, it is important for us to take proactive steps to demystify the working of the higher judiciary in the eyes of the general public. In this regard, it is hoped that the material published in this report will be useful for those in the legal fraternity as well as scholars and laymen.

The Supreme Court of India functions both as a constitutional court as well as the highest appellate court in our country. The responsibility of engaging in constitutional adjudication is indeed vital for maintaining healthy democratic traditions and facilitating the pursuit of equitable development policies. The text of our Constitution itself privileges the overarching aims of preserving national unity, deepening democracy and progressively engineering social change. Added to this matrix is the preservation of the individual and group rights that have been guaranteed to all citizens. Sometimes the pursuit of collective goals through governmental policies comes into conflict with the fundamental rights of individuals and groups. In such situations, it is the higher judiciary which acts as an impartial arbiter in resolving conflicts between the state and the citizens. In some other instances, there are disputes among governmental agencies themselves. In addition to these Constitutional dimensions, the Supreme Court also serves as the forum of last resort for litigation involving the private rights of citizens.

In discharging these functions, the judges serving on the Supreme Court of India are indeed confronted with novel fact situations as well as compelling arguments on a daily basis. Empirical studies have shown that the workload before our judges is far more in comparison to the work of judges in other liberal democracies. However, we are also conscious of our vital social role that has been shaped by the creative reading of ideas such as 'equal protection before the law' and 'personal liberty', which has accompanied the emergence of the Public Interest Litigation (PIL) movement over the last three decades. This means that the courts of law are unique spaces where just solutions are devised, in spite of the socio-economic inequalities between the litigants. The judges in turn are called on to exhibit a high degree of sensitivity to the causes of such disparity as well as deprivation. India is a diverse country where we are still grappling with social stratification and discrimination on the grounds of caste, religion, gender, language, race and ethnicity among other factors. Conflicts that arise out of identity-based differentiation or those relating to the distribution of resources are

often very complicated since they involve multiple interest groups. Adjudicating such disputes often calls for a departure from the norm of adversarial litigation and the judges have accordingly devised procedural innovations to respond to the needs of litigants.

There has of course been a lot of concern about the large volume of arrears and the consequent delay in the disposal of cases. Recently, the Union Ministry for Law and Justice has evolved a concrete plan to tackle this problem. While the high pendency figures are indeed a cause of concern, we must also be mindful of the fact that it is only a limited segment of the population which has meaningful access to justice. This means that even as we devise strategies to combat the existing backlog, we must also prepare for a further expansion of court dockets in the coming years. With gradual improvements in development indicators such as access to education, healthcare and financial stability, we should expect the previously marginalized sections to approach the judicial system in larger numbers. At the same time, there is a widespread perception that many people may be deterred from approaching the courts especially on account of the apprehensions of undue delay in the resolution of their disputes. This may indeed be true in some parts of the country where the number of civil cases being instituted are very low in proportion to their respective population-levels. Therefore, any meaningful agenda for judicial reforms must account for the twin problems of high pendency levels as well as the limited access to justice for some sections of society.

The foremost solution of course is that of expanding the size of the judicial system. As early as 1987, the Law Commission of India had observed in its 120th Report that the judge-to-population ratio in India was quite low in comparison to the Developed Nations and had hence prescribed a five-fold expansion in the strength of the judiciary. While the strength of the Supreme Court and the various High Courts has been gradually increased, it is the strength of the subordinate judiciary which calls for a drastic increase. The onus is primarily on the various State Governments to enable the creation of more trial courts by providing the necessary financial support. In this regard, the last two editions of the Annual Conference of the Chief Justices of the High Courts (in April 2008 and August 2009) led to resolutions calling for the establishment of Family Courts in all districts of the country as well as the appointment of more Special Judges to try corruption-related cases being investigated by the Central Bureau of Investigation (CBI). A proposal that has received a lot of attention in recent times is that of the establishment of village-level courts known as 'Gram Nyayalayas'. Under the Gram Nyayalayas Act, 2008 judicial officers of the rank of Civil Judge (Junior Division) will be appointed to man courts at the block-level which is co-ordinate to the administrative area of intermediate panchayats. The intent of course is to bring the justice-delivery system closer to rural citizens who have to otherwise travel to distant district centres. It is estimated that nearly 5,000 judicial officers will be needed to occupy these positions and accordingly the various High Courts have begun the process of determining how many courts will be needed in entirety.

Alongside the expansion of the judiciary, the Legal Services Authorities at the National, State and District level are also making vigorous efforts to encourage reliance on Alternative Dispute Resolution (ADR) methods. Special emphasis has been placed on the organisation of Lok Adalats to provide a convenient forum for resolving disputes pertaining to accident compensation claims, family disputes and deficiency in the delivery of public utility services. Civil judges are also statutorily empowered to refer ongoing cases for resolution through methods such as Mediation, Negotiated Settlements and Permanent Lok Adalats. While there have been some obstacles in creating the infrastructure needed for these methods, a meaningful shift will only occur if attitudes change among the bar. Ultimately it is the responsibility of legal practitioners to advise their clients on the suitability of resorting to litigation. For many categories of disputes, adversarial courtroom litigation is not the optimal strategy since disputes can be amicably resolved outside the courtroom. With the objective of promoting awareness about these methods, full-time Mediation Centres have been established in the various High Courts as well as some of the District Courts. Their function is to not only provide mediation services but also to impart training about the same.

Efforts are also being made to incorporate Information Technology (IT) based solutions in order to strengthen the judicial system. Under the E-Courts project, most judicial officers in the country have been provided with computers and access to legal databases. Plans are also afoot to digitize precedents as well as the permanent records of courts at all levels. At present the daily cause-lists, orders and judgments of the Supreme Court and the respective High Courts are freely available online through the Judgment Information System (JUDIS). In the coming years, the target is to ensure that materials pertaining to all subordinate courts as well as tribunals will also be made freely available through this system.

To conclude, I would like to extend my heartfelt gratitude to all my colleagues who are serving at the various levels of the judicial system. I hope that they will all strive to uphold the high standards of dignity and integrity that are expected from anyone who holds a judicial office. I must also place on record my gratitude to the administrative staff members who have been working harder with each passing year in order to keep up with the increasing case-load before the courts. Like any public institution, the quality of justice-delivery is also a function of the faith placed on it by the larger public. The Supreme Court in particular is often viewed with a lot of respect as well as expectations. We are of course quite conscious of these expectations but it must be kept in mind that judges are also human beings and have their own limitations. We rely on an active bar, a free press and a vigilant citizenry to point out our unintended mistakes so that we can improve our functioning. I sincerely hope that the dialogue between the judiciary and the various stakeholders in our society continues to take place in a cordial and constructive manner.

(K.G. BALAKRISHNAN)

New Delhi, October 29, 2009

1. Supreme Court Bench - A Profile*



* As on 10.11.09





JUSTICE K.G.BALAKRISHNAN

Chief Justice of India

Born on 12.5.1945 in Kottayam District of Kerala State. Early education was in the local school. Graduated from Maharaja's College, Ernakulam, in 1965. Passed Bachelor of Law Degree examination in 1967.

Enrolled as an Advocate of the Kerala Bar Council on 16.3.1968. Meanwhile, also joined the LL.M Course and secured the LL.M. Degree in Contract and Mercantile Law from Kerala University. Practised both on Civil and Criminal sides in the High Court of Kerala at Ernakulam. Joined Kerala Judicial Service on 10.1.1973 and later resigned from the service and resumed practice as an Advocate in the Kerala High Court.

Appointed as Judge of the Kerala High Court on 26.9.1985. On 24.11.1997, transferred to Gujarat High Court and became the Chief Justice of the Gujarat High Court on 16.7.1998. In September, 1999, transferred to the High Court of Judicature at Madras and assumed charge as the Chief Justice of the Madras High Court on 9.9.1999. On 8.6.2000, elevated as Judge, Supreme Court of India.

Appointed as Chief Justice of India on 14.1.2007.

Conferred the degree of Doctor of Laws (Honoris Causa) by

(i) Kurukshetra University in May, 2007; (ii) Bangalore University in January 2008; (iii) Kerala University in June 2008; (iv) Mahatma Gandhi University, Kottayam [Kerala] in May, 2009; and (v) Gulbarga University, Gulbarga in August, 2009.

Has been Honorary Bencher at the Society of Lincoln's Inn, London, since July, 2007.

Due to retire on 12th May, 2010(F/N).

JUSTICE S.H. KAPADIA

Born in Bombay on 29.9.1947.

Enrolled as an advocate at Bombay in 1974. Appeared in various Courts in Bombay and the High Court of Bombay in Constitutional matters, Taxation, Civil matters on Original side as well as on Appellate Side.

On 8.10.1991, elevated to the Bench of the Bombay High Court. Was appointed Chief Justice of Uttarakhand High Court at Nainital on 5.8.2003. As Chief Justice, decided matters under U.P. Trade Tax, matters under Article 311 of the Constitution, PIL matters and matters under the Income Tax Act. On 18.12.2003, was appointed Judge of the Supreme Court of India at the age of 56.

Due to retire on 29th September, 2012(F/N).



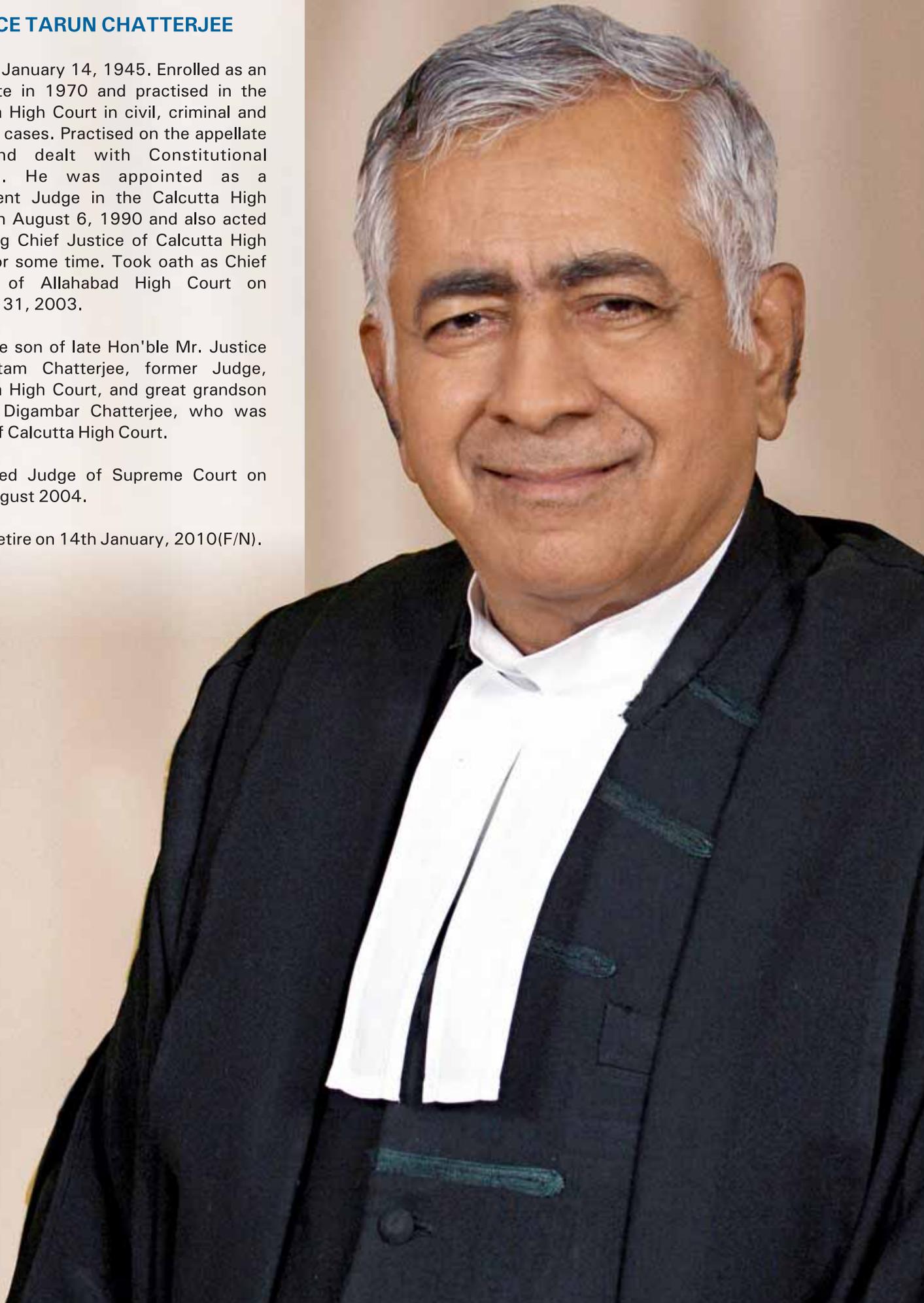
JUSTICE TARUN CHATTERJEE

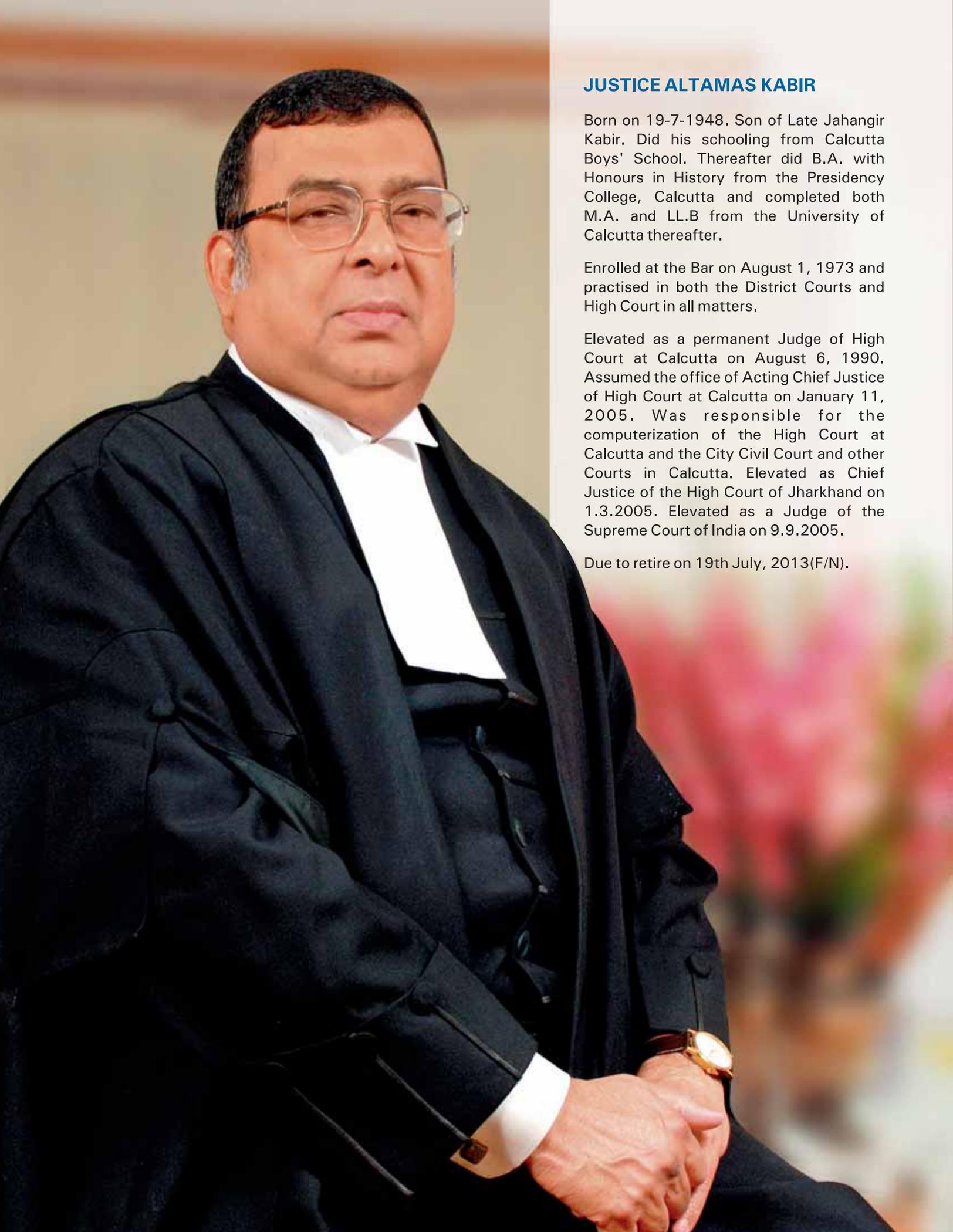
Born on January 14, 1945. Enrolled as an Advocate in 1970 and practised in the Calcutta High Court in civil, criminal and revenue cases. Practised on the appellate side and dealt with Constitutional matters. He was appointed as a permanent Judge in the Calcutta High Court on August 6, 1990 and also acted as acting Chief Justice of Calcutta High Court for some time. Took oath as Chief Justice of Allahabad High Court on January 31, 2003.

He is the son of late Hon'ble Mr. Justice Purshottam Chatterjee, former Judge, Calcutta High Court, and great grandson of Shri Digambar Chatterjee, who was Judge of Calcutta High Court.

Appointed Judge of Supreme Court on 27th August 2004.

Due to retire on 14th January, 2010(F/N).





JUSTICE ALTAMAS KABIR

Born on 19-7-1948. Son of Late Jahangir Kabir. Did his schooling from Calcutta Boys' School. Thereafter did B.A. with Honours in History from the Presidency College, Calcutta and completed both M.A. and LL.B from the University of Calcutta thereafter.

Enrolled at the Bar on August 1, 1973 and practised in both the District Courts and High Court in all matters.

Elevated as a permanent Judge of High Court at Calcutta on August 6, 1990. Assumed the office of Acting Chief Justice of High Court at Calcutta on January 11, 2005. Was responsible for the computerization of the High Court at Calcutta and the City Civil Court and other Courts in Calcutta. Elevated as Chief Justice of the High Court of Jharkhand on 1.3.2005. Elevated as a Judge of the Supreme Court of India on 9.9.2005.

Due to retire on 19th July, 2013(F/N).



JUSTICE R. V. RAVEENDRAN

Born on October 15, 1946. He was enrolled as an Advocate in March, 1968.

He was appointed as a permanent Judge of the Karnataka High Court on February 22, 1993 and as Chief Justice of Madhya Pradesh High Court on July 8, 2004. Appointed as a Judge, Supreme Court of India on September 9, 2005.

Due to retire on 15th October, 2011 (F/N).

JUSTICE DALVEER BHANDARI

Born on 1st October, 1947.

After graduating in Humanities and Law, he did Master of Laws from the Northwestern University, Chicago, USA on an international scholarship. He also worked with the Northwestern Legal Assistance Clinic, and appeared in Chicago Courts on behalf of the litigants of the said clinic.

On an International Fellowship, he visited Thailand, Malaysia, Indonesia, Singapore and Sri Lanka for observational-cum-lecture tour on Legal Aid and Clinical Legal Educational Programmes associated with the Law Courts and Law Schools.

He was a Key Note Speaker in an International Conference organized by the United Nation on "Intellectual Property" at Auckland(New Zealand).

He was appointed as the Chief Justice of Maharashtra and Goa on 25th July, 2004. He was elevated as a Judge of the Supreme Court of India on 28.10.2005.

Due to retire on 1st October, 2012(F/N).





JUSTICE D.K. JAIN

Born on January 25, 1948. Enrolled as an Advocate at Delhi on August 9, 1974. Practiced on revenue, civil and constitutional sides in various Courts and Tribunals. Appointed as Special Prosecution Counsel for Income-tax Department in 1983. Appointed as Additional Standing Counsel for Income-tax Department from January 2, 1986 and Senior Standing Counsel from September 1, 1987. Appointed as an Additional Judge of High Court of Delhi on March 19, 1991 and became permanent Judge on January 23, 1992. Appointed as Member of the Central Advisory Board under the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 on October 5, 1995 and then its Chairman on November 8, 2001. Appointed as Chief Justice of High Court of Punjab and Haryana on March 11, 2005. Elevated as a Judge of the Supreme Court of India on April 10, 2006.

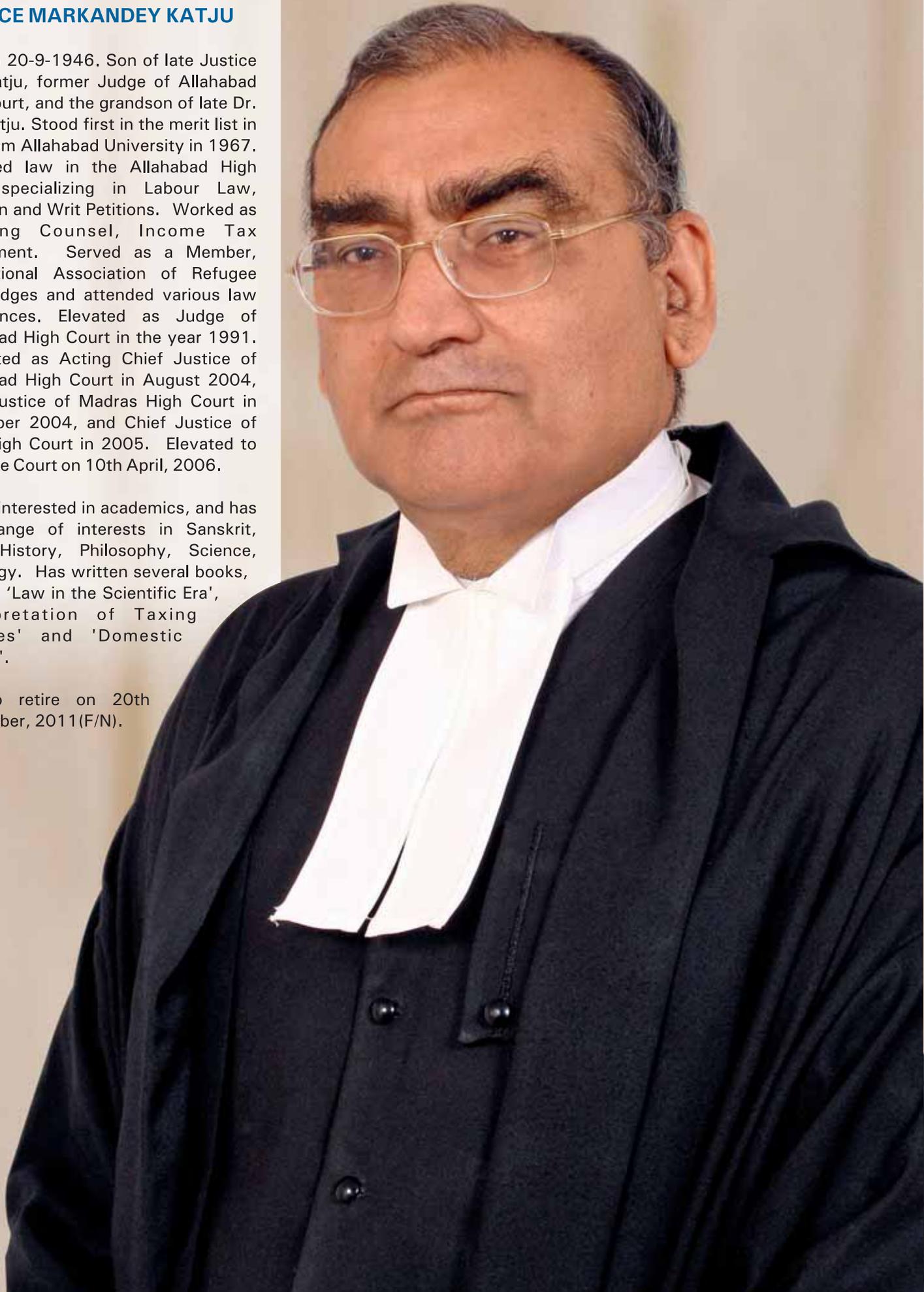
Due to retire on 25th January, 2013(F/N).

JUSTICE MARKANDEY KATJU

Born on 20-9-1946. Son of late Justice S.N. Katju, former Judge of Allahabad High Court, and the grandson of late Dr. K.N. Katju. Stood first in the merit list in LL.B from Allahabad University in 1967. Practiced law in the Allahabad High Court specializing in Labour Law, Taxation and Writ Petitions. Worked as Standing Counsel, Income Tax Department. Served as a Member, International Association of Refugee Law Judges and attended various law conferences. Elevated as Judge of Allahabad High Court in the year 1991. Appointed as Acting Chief Justice of Allahabad High Court in August 2004, Chief Justice of Madras High Court in November 2004, and Chief Justice of Delhi High Court in 2005. Elevated to Supreme Court on 10th April, 2006.

Keenly interested in academics, and has wide range of interests in Sanskrit, Urdu, History, Philosophy, Science, Sociology. Has written several books, such as 'Law in the Scientific Era', 'Interpretation of Taxing Statutes' and 'Domestic Enquiry'.

Due to retire on 20th September, 2011(F/N).



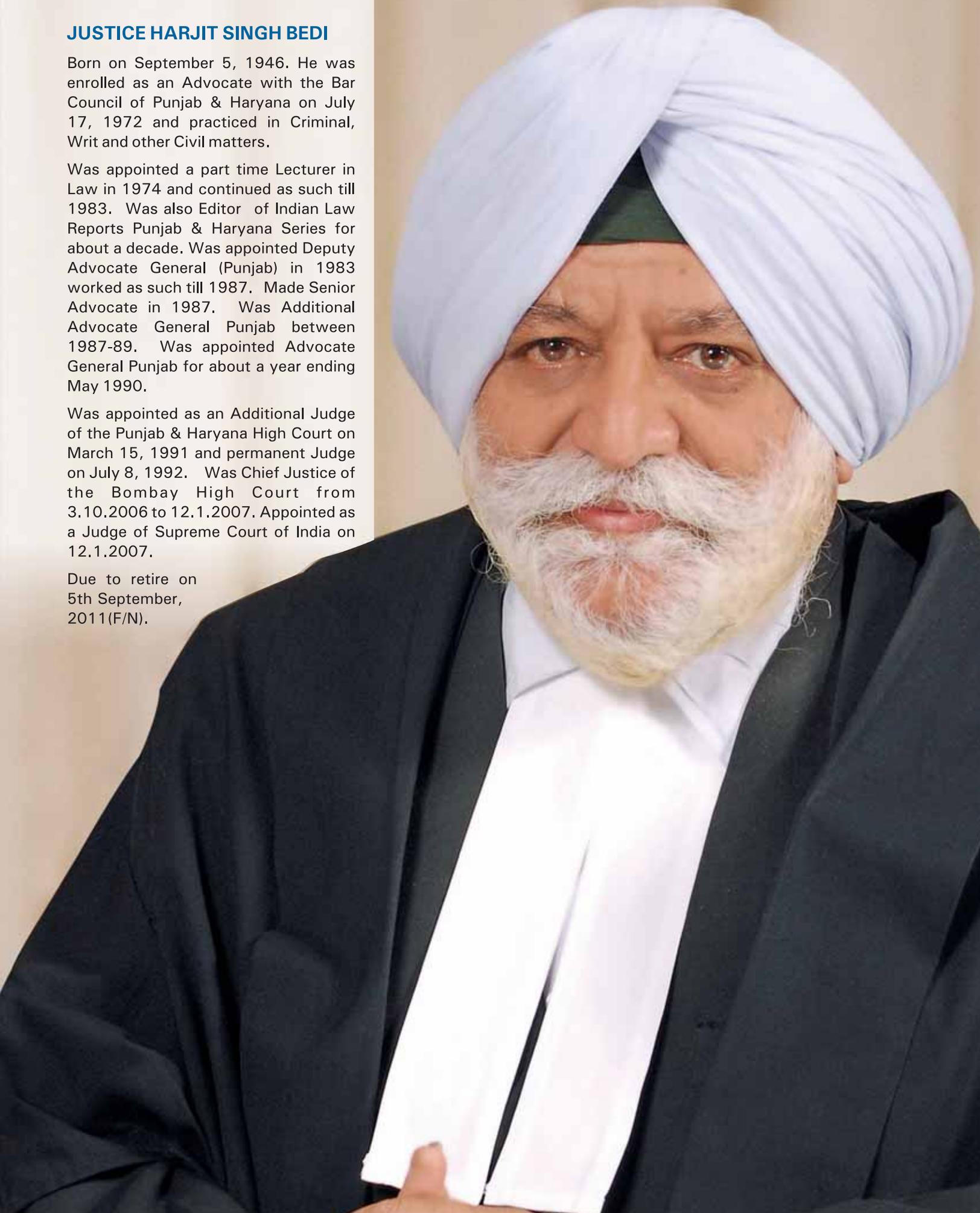
JUSTICE HARJIT SINGH BEDI

Born on September 5, 1946. He was enrolled as an Advocate with the Bar Council of Punjab & Haryana on July 17, 1972 and practiced in Criminal, Writ and other Civil matters.

Was appointed a part time Lecturer in Law in 1974 and continued as such till 1983. Was also Editor of Indian Law Reports Punjab & Haryana Series for about a decade. Was appointed Deputy Advocate General (Punjab) in 1983 worked as such till 1987. Made Senior Advocate in 1987. Was Additional Advocate General Punjab between 1987-89. Was appointed Advocate General Punjab for about a year ending May 1990.

Was appointed as an Additional Judge of the Punjab & Haryana High Court on March 15, 1991 and permanent Judge on July 8, 1992. Was Chief Justice of the Bombay High Court from 3.10.2006 to 12.1.2007. Appointed as a Judge of Supreme Court of India on 12.1.2007.

Due to retire on
5th September,
2011(F/N).



JUSTICE V.S. SIRPURKAR

Born on 22.8.1946. Hails from a family of Lawyers. Practised at Nagpur in the High Court on Constitutional, Civil and Criminal sides, from 1968. Was also elected as a Member of Maharashtra Bar Council twice, i.e. in the year 1985 and 1991. Elevated as a Judge of Bombay High Court in 1992. Transferred to the Madras High Court in December, 1997 where as Senior Judge also held the post of 'Executive Chairman' of the Tamil Nadu State Legal Services Authority. Elevated as Chief Justice, High Court of Uttaranchal on 25th July, 2004 and continued till 19th March, 2005. Assumed Office of the Chief Justice of the High Court at Calcutta w.e.f. March 20, 2005. Co-opted as a Member of the Legal Education Committee of the Bar Council of India, New Delhi. Was a Member of the Governing Council of the Indian Law Institute, New Delhi and presently Chairman of Administrative Committee. Nominated by Bar Council of India of West Bengal National University of Juridical Sciences, Kolkata. Elevated to Supreme Court of India w.e.f. 12.1.2007.

Due to retire on 22nd August, 2011(F/N).



JUSTICE B. SUDERSHAN REDDY

Born on July 8, 1946. He was enrolled as Advocate at Hyderabad with the Bar Council of Andhra Pradesh on December 27, 1971. Has practiced in Writ and Civil matters in the High Court of Andhra Pradesh. Worked as Government Pleader in the High Court during 1988-90. He also worked as Additional Standing Counsel for Central Government for a period of 6 months during 1990. Worked as Legal Adviser and Standing Counsel for Osmania University. He was appointed as a permanent Judge of the Andhra Pradesh High Court on May 2, 1995, and as Chief Justice of the Gauhati High Court on 05.12.2005. Appointed as a Judge of Supreme Court of India on 12.01.2007.

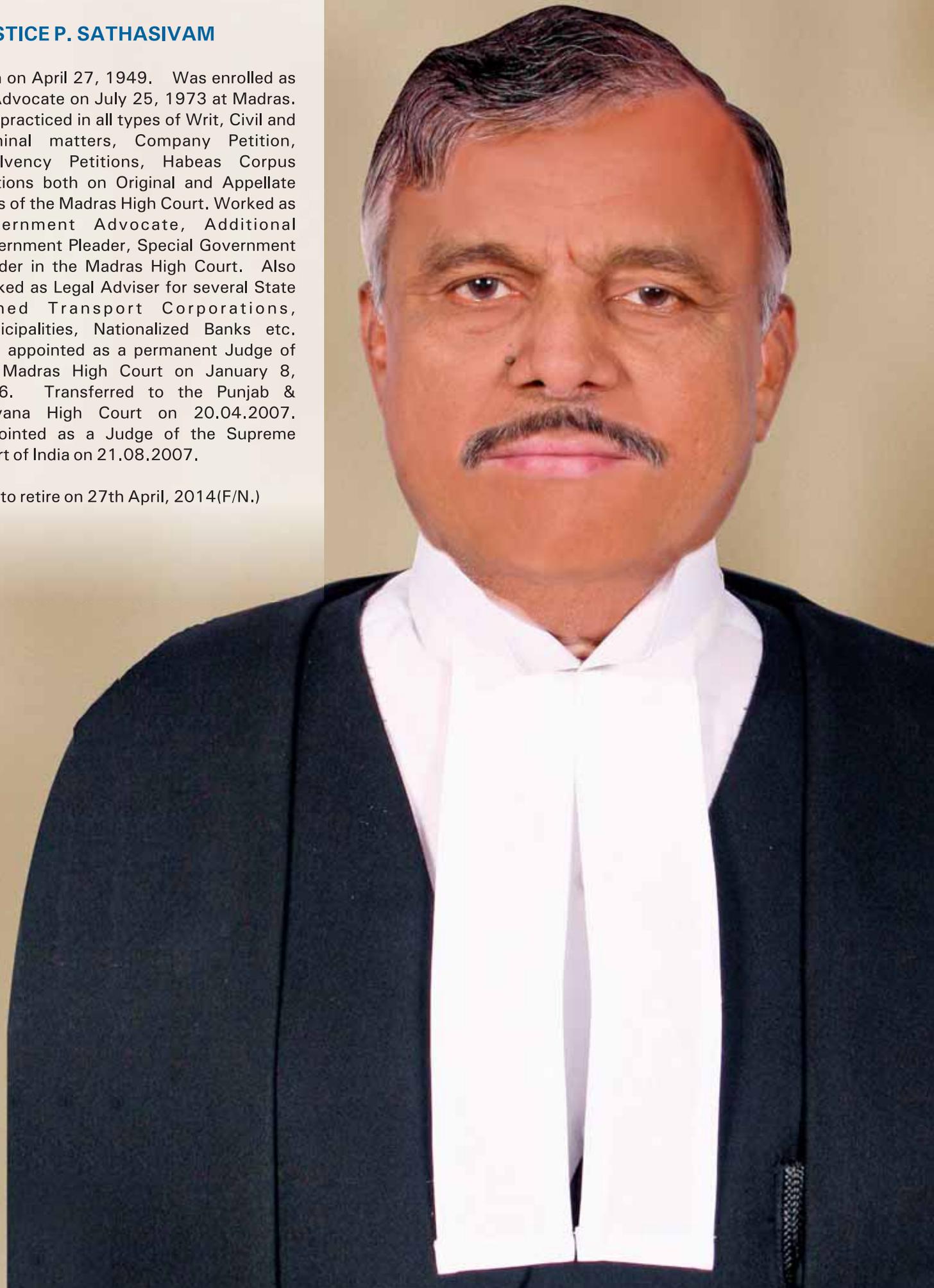
Due to retire on 8th July, 2011 (F/N)



JUSTICE P. SATHASIVAM

Born on April 27, 1949. Was enrolled as an Advocate on July 25, 1973 at Madras. Has practiced in all types of Writ, Civil and Criminal matters, Company Petition, Insolvency Petitions, Habeas Corpus Petitions both on Original and Appellate sides of the Madras High Court. Worked as Government Advocate, Additional Government Pleader, Special Government Pleader in the Madras High Court. Also worked as Legal Adviser for several State owned Transport Corporations, Municipalities, Nationalized Banks etc. Was appointed as a permanent Judge of the Madras High Court on January 8, 1996. Transferred to the Punjab & Haryana High Court on 20.04.2007. Appointed as a Judge of the Supreme Court of India on 21.08.2007.

Due to retire on 27th April, 2014(F/N.)





JUSTICE G.S. SINGHVI

Born at Jodhpur on 12-12-1948 as son of Mr. M.M. Singhvi. Graduated in Science in the year 1968 from Jodhpur University. Passed LL.B. Examination in the year 1971 with Gold Medal from Rajasthan University. Joined the legal profession on 28-07-1971. Practiced in Rajasthan High Court at Jodhpur till June, 1977. Shifted to Jaipur on creation of High Court Bench at Jaipur. Mainly practiced in Constitutional Law. Represented the State Government in special cases and almost all the Universities of Rajasthan, various public Corporations, educational institutions and local authorities before the High Court. Elevated to the Bench of Rajasthan High Court on 20-07-1990. Transferred to Punjab and Haryana High Court on 28-04-1994, and thereafter to the Gujarat High Court on 28-02-2005. Sworn in as the Chief Justice, High Court of Andhra Pradesh on 27-11-2005. Elevated to the Supreme Court and assumed Office on 12.11.2007.

Due to retire on 12th December, 2013 (F/N.)

JUSTICE AFTAB ALAM

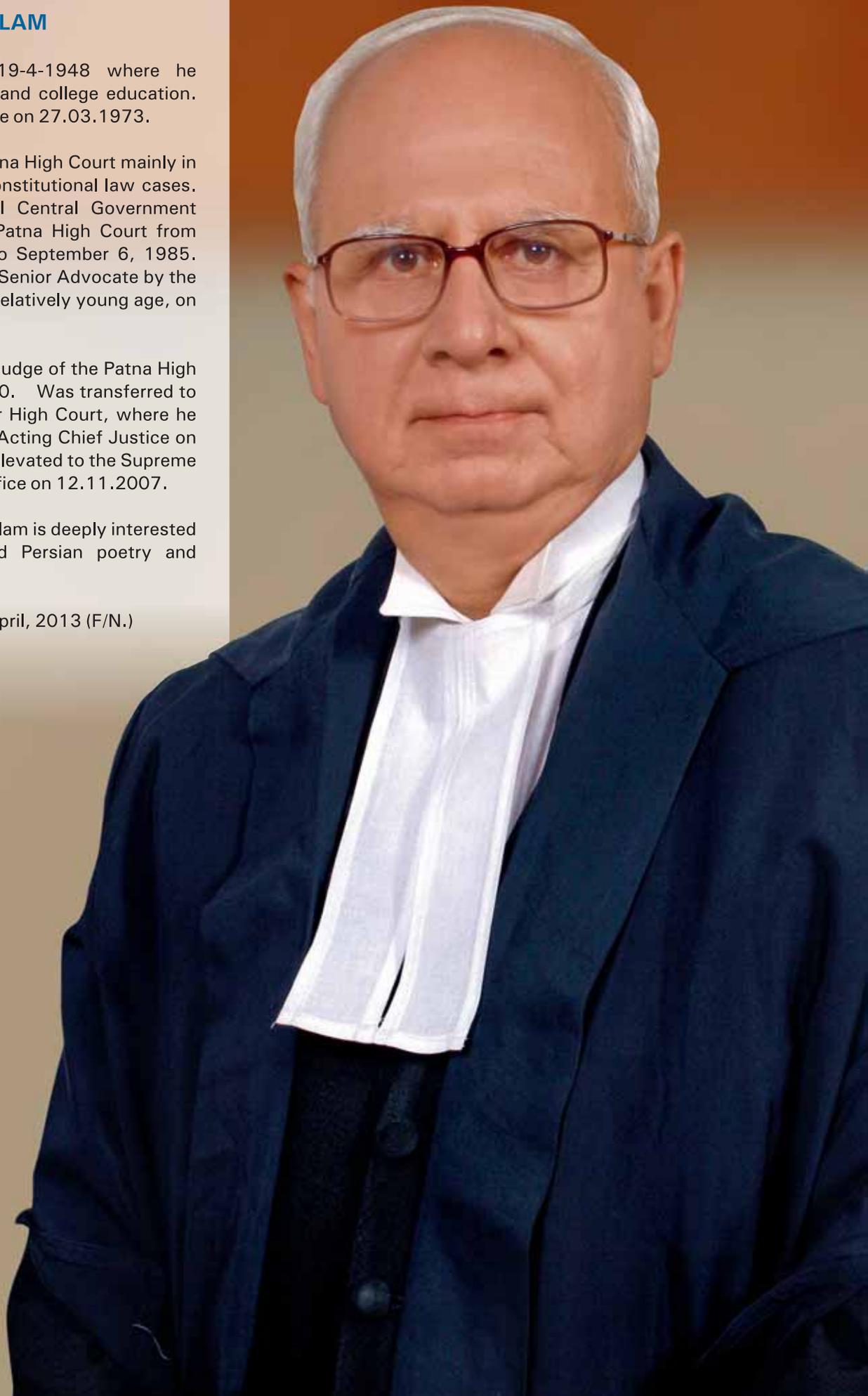
Born in Patna on 19-4-1948 where he completed his school and college education. Enrolled as an Advocate on 27.03.1973.

He practised in the Patna High Court mainly in labour, service and Constitutional law cases. Worked as Additional Central Government Standing Counsel in Patna High Court from September 7, 1981 to September 6, 1985. He was designated as Senior Advocate by the Patna High Court at a relatively young age, on February 1, 1984.

He was appointed as Judge of the Patna High Court on July 27, 1990. Was transferred to the Jammu & Kashmir High Court, where he was appointed as the Acting Chief Justice on 06.06.2007. He was elevated to the Supreme Court and assumed Office on 12.11.2007.

Besides law, Justice Alam is deeply interested in classical Urdu and Persian poetry and studies in Sufism.

Due to retire on 19th April, 2013 (F/N.)





JUSTICE J.M. PANCHAL

Born on 06.10.1946. Did B.Com from H.L. College of Commerce, Ahmedabad. Stood first in University in First LL.B., Second LL.B. and Third LL.B.(Special) Examinations and was awarded Gold Medals and several other prizes. Was Fellow in Sir L.A. Shah Law College, Ahmedabad. Enrolled as an Advocate in the High Court of Gujarat on 04.07.1972, and practiced in High Court of Gujarat. Was counsel for western railway. Appointed as Assistant Government Pleader and Additional Public Prosecutor in the year 1976. Was appointed In-charge Government Pleader and Public Prosecutor High Court of Gujarat in the year 1990. Has conducted several civil, constitutional, preventive detention, criminal and other cases. Elevated to the Gujarat High Court as Additional Judge on 22.11.1990 and confirmed as Permanent Judge on 28.10.1994. Appointed as acting Chief Justice of the Rajasthan High Court on 16.07.2007 and as Chief Justice of Rajasthan High Court on 16.9.2007. Elevated to Supreme Court of India on 12-11-2007.

Due to retire on 6th October, 2011 (F.N.)

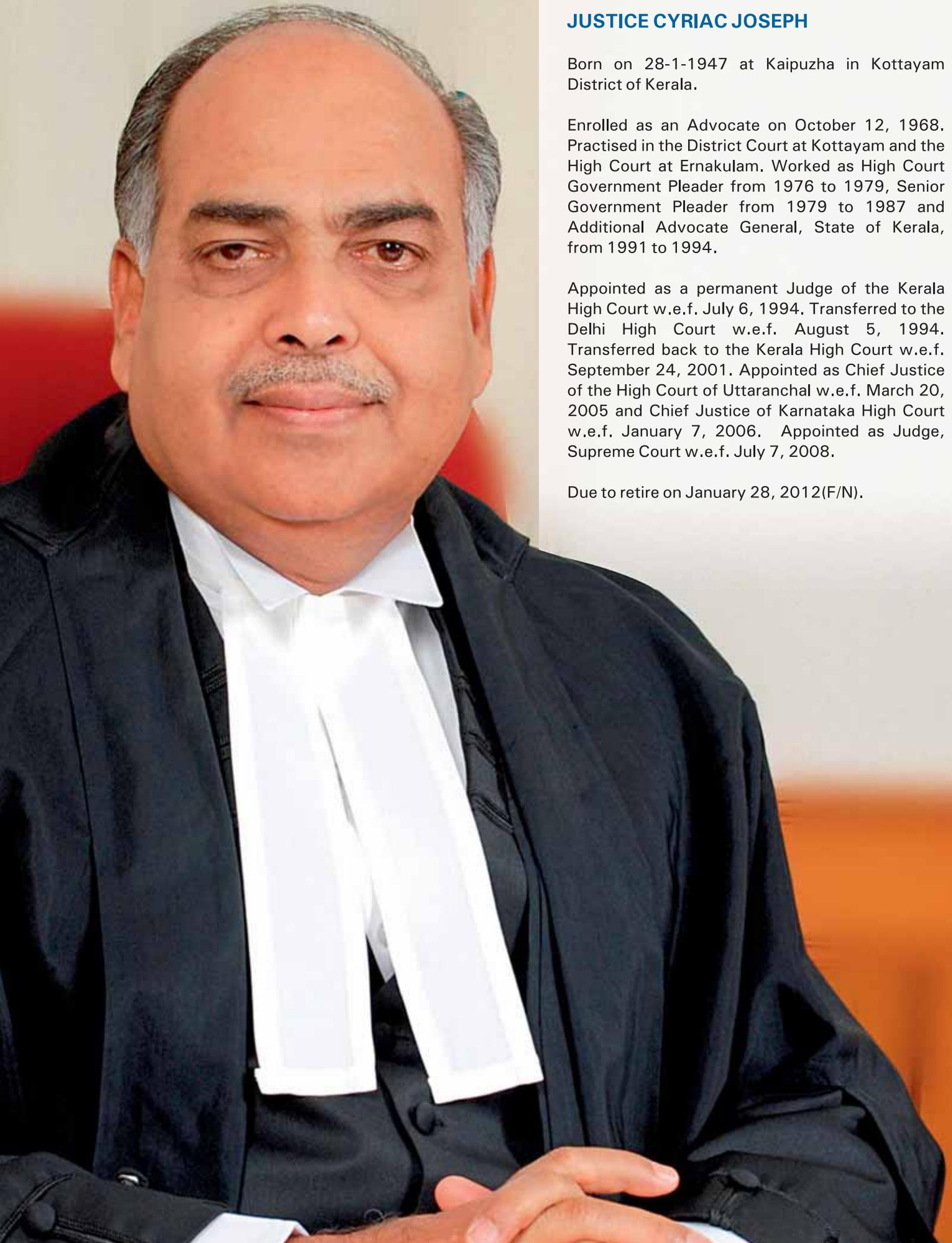


DR. JUSTICE MUKUNDAKAM SHARMA

Born on 18.09.1946. Did his Pre University from Cotton College, Guwahati; B.A. from Ramjas College, Delhi; and M.A., LL.B. and Ph.D from Guwahati University. Enrolled as an Advocate on 16.6.1970 and practiced in Guwahati High Court.

Was designated as Senior Advocate on 01.01.1988. Was appointed as Advocate General for the State of Mizoram and thereafter for the State of Nagaland. Founder member of Law Research Institute, Guwahati High Court and gave legal shape to customary Laws of Tribes of North East India. Appointed as permanent Judge of the Guwahati High Court with effect from 10.01.1994. Transferred to Patna High Court where joined on 14.02.1994. Transferred to Delhi High Court on 12.12.1994. Appointed as Acting Chief Justice of Delhi High Court with effect from 28.11.2006 and as Chief Justice with effect from 04.12.2006. Elevated as the Judge of the Supreme Court of India with effect from 09.04.2008.

Due to retire on 18th September, 2011 (F/N).



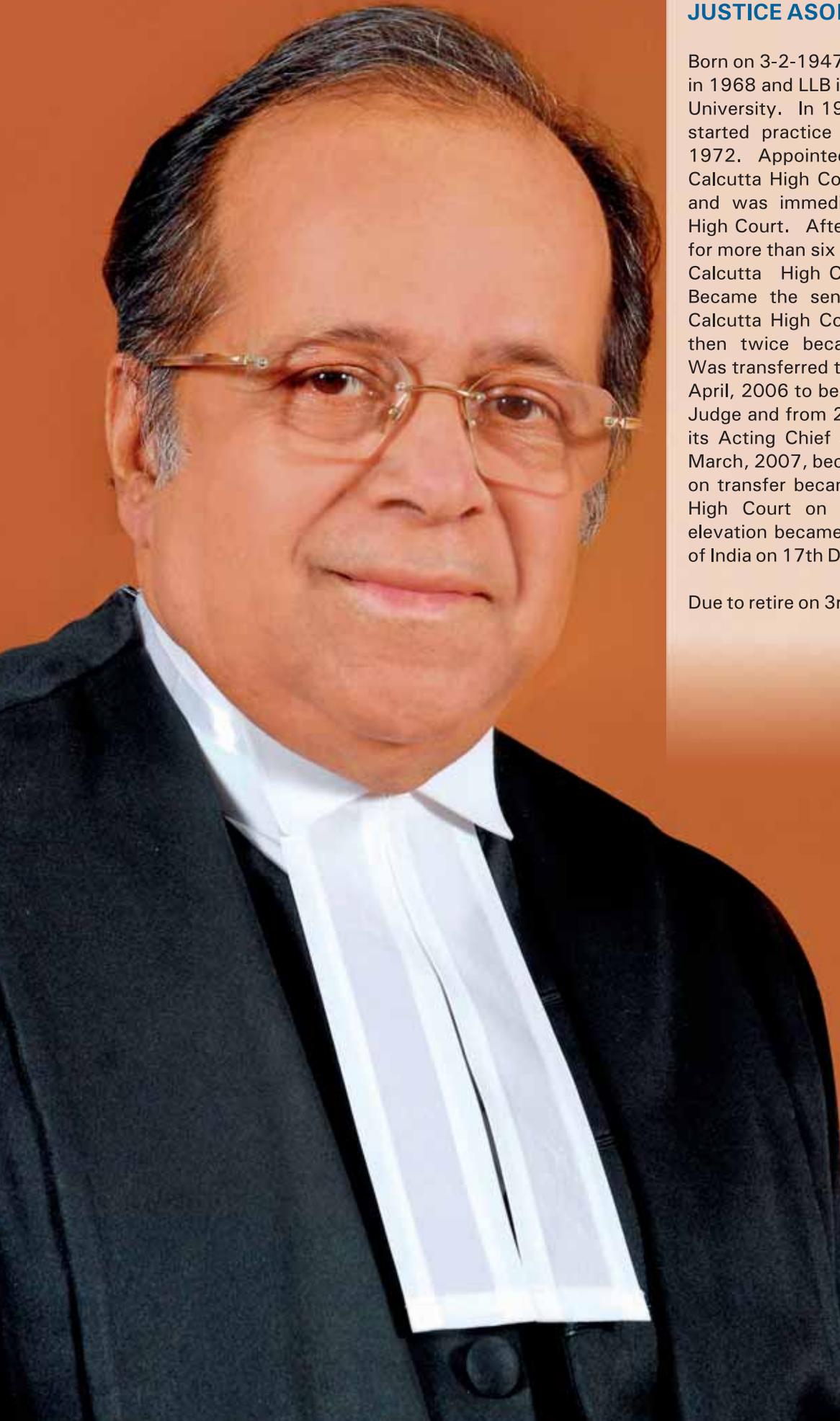
JUSTICE CYRIAC JOSEPH

Born on 28-1-1947 at Kaipuzha in Kottayam District of Kerala.

Enrolled as an Advocate on October 12, 1968. Practised in the District Court at Kottayam and the High Court at Ernakulam. Worked as High Court Government Pleader from 1976 to 1979, Senior Government Pleader from 1979 to 1987 and Additional Advocate General, State of Kerala, from 1991 to 1994.

Appointed as a permanent Judge of the Kerala High Court w.e.f. July 6, 1994. Transferred to the Delhi High Court w.e.f. August 5, 1994. Transferred back to the Kerala High Court w.e.f. September 24, 2001. Appointed as Chief Justice of the High Court of Uttaranchal w.e.f. March 20, 2005 and Chief Justice of Karnataka High Court w.e.f. January 7, 2006. Appointed as Judge, Supreme Court w.e.f. July 7, 2008.

Due to retire on January 28, 2012(F/N).



JUSTICE ASOK KUMAR GANGULY

Born on 3-2-1947. Completed M.A. in English in 1968 and LLB in 1970 - both from Calcutta University. In 1969, became a teacher and started practice in Calcutta High Court in 1972. Appointed a permanent Judge of the Calcutta High Court on 10th January, 1994 and was immediately transferred to Patna High Court. After being in Patna High Court for more than six years, he was transferred to Calcutta High Court on 1st August, 2000. Became the senior most puisne Judge of Calcutta High Court from March, 2005 and then twice became Acting Chief Justice. Was transferred to Orissa High Court on 21st April, 2006 to become its senior most puisne Judge and from 28th January, 2007 became its Acting Chief Justice and then from 2nd March, 2007, became the Chief Justice. Then on transfer became Chief Justice of Madras High Court on 19th May, 2008 and on elevation became a Judge of Supreme Court of India on 17th December, 2008.

Due to retire on 3rd February, 2012 (F/N).

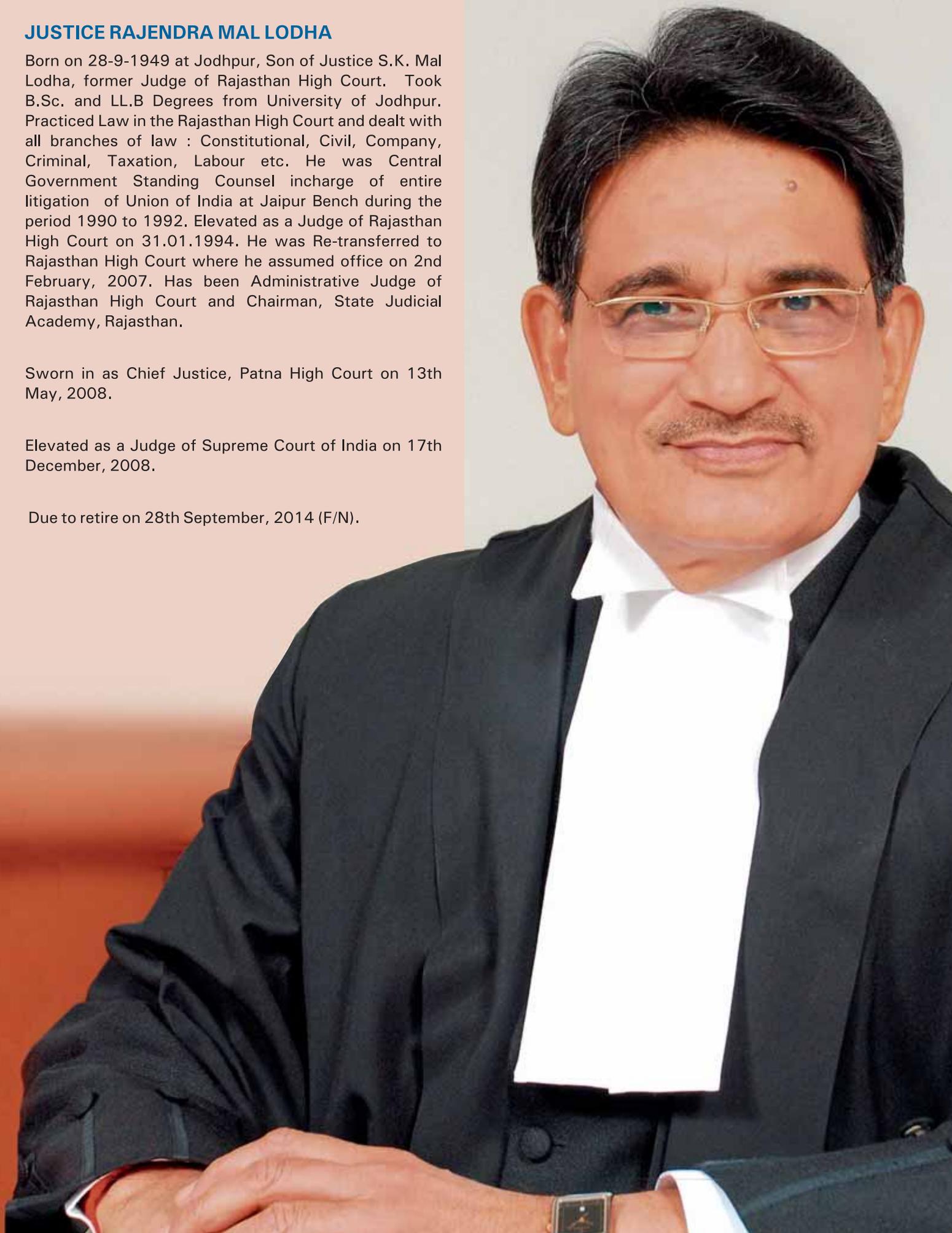
JUSTICE RAJENDRA MAL LODHA

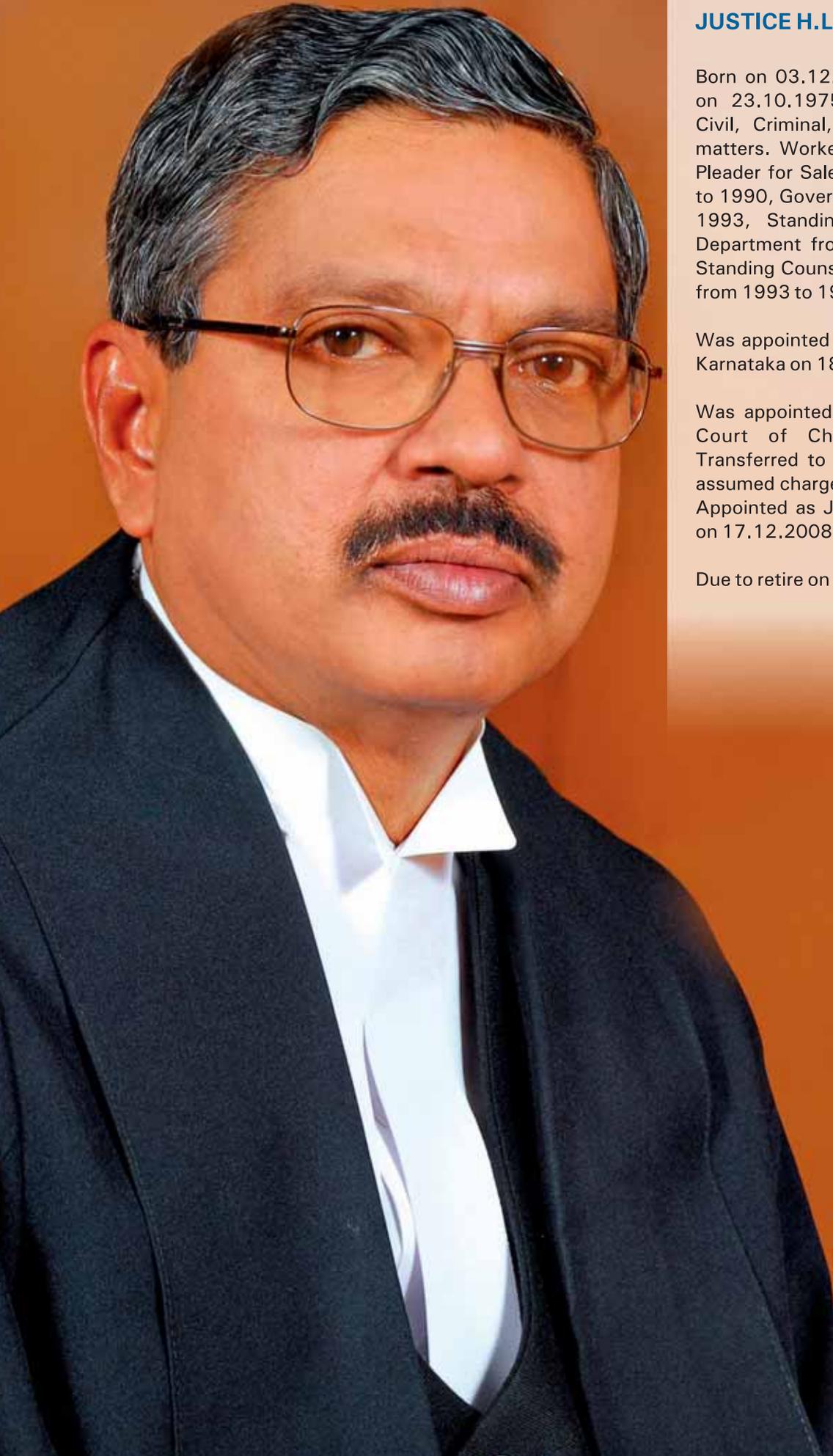
Born on 28-9-1949 at Jodhpur, Son of Justice S.K. Mal Lodha, former Judge of Rajasthan High Court. Took B.Sc. and LL.B Degrees from University of Jodhpur. Practiced Law in the Rajasthan High Court and dealt with all branches of law : Constitutional, Civil, Company, Criminal, Taxation, Labour etc. He was Central Government Standing Counsel incharge of entire litigation of Union of India at Jaipur Bench during the period 1990 to 1992. Elevated as a Judge of Rajasthan High Court on 31.01.1994. He was Re-transferred to Rajasthan High Court where he assumed office on 2nd February, 2007. Has been Administrative Judge of Rajasthan High Court and Chairman, State Judicial Academy, Rajasthan.

Sworn in as Chief Justice, Patna High Court on 13th May, 2008.

Elevated as a Judge of Supreme Court of India on 17th December, 2008.

Due to retire on 28th September, 2014 (F/N).





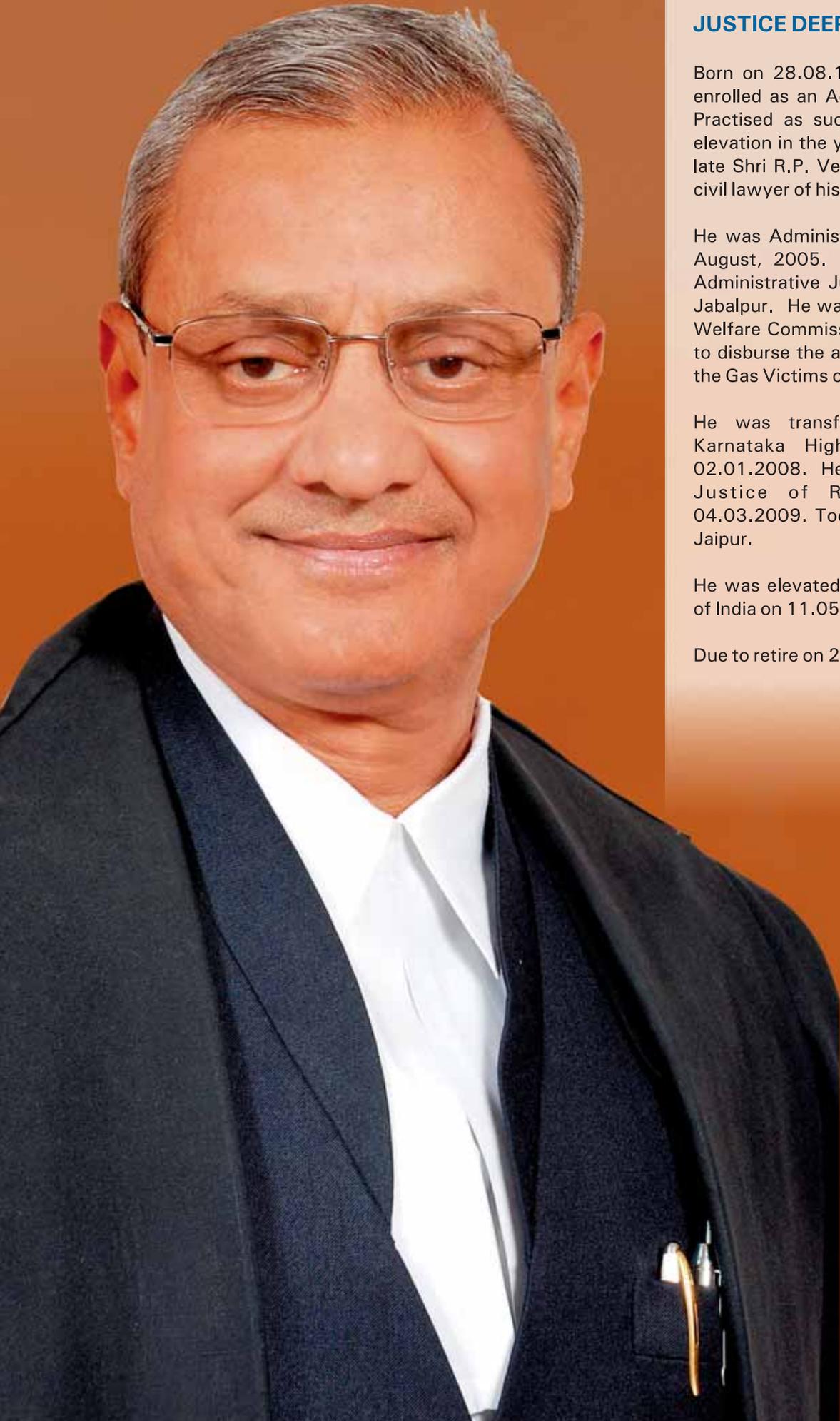
JUSTICE H.L. DATTU

Born on 03.12.1950. Enrolled as Advocate on 23.10.1975. Practised at Bangalore in Civil, Criminal, Constitutional and Taxation matters. Worked as High Court Government Pleader for Sales Tax Department from 1983 to 1990, Government Advocate from 1990 to 1993, Standing Counsel for Income Tax Department from 1992 to 1993 and Senior Standing Counsel for Income Tax Department from 1993 to 1995.

Was appointed as Judge of the High Court of Karnataka on 18.12.1995.

Was appointed as Chief Justice of the High Court of Chattisgarh on 12.02.2007. Transferred to the High Court of Kerala and assumed charge of the Office on 18.05.2007. Appointed as Judge, Supreme Court of India on 17.12.2008.

Due to retire on 3rd December, 2015 (F/N).



JUSTICE DEEPAK VERMA

Born on 28.08.1947 at Jabalpur. He was enrolled as an Advocate in the year 1972. Practised as such mainly on civil side till elevation in the year 1994, under his father late Shri R.P. Verma, who was an eminent civil lawyer of his time.

He was Administrative Judge of Indore till August, 2005. Thereafter, continued as Administrative Judge, High Court of M.P., Jabalpur. He was additionally appointed as Welfare Commissioner, Bhopal Gas Victims to disburse the amount of compensation to the Gas Victims of Bhopal.

He was transferred as Judge of the Karnataka High Court Bangalore, on 02.01.2008. He was elevated as Chief Justice of Rajasthan High Court 04.03.2009. Took oath on 06.03.2009 at Jaipur.

He was elevated as Judge, Supreme Court of India on 11.05.2009.

Due to retire on 28th August, 2012 (F/N).

DR.JUSTICE BALBIR SINGH CHAUHAN

Born on 02.07.1949. Passed B.Sc. in the year 1970 from Meerut University in first division. Graduated in Law in the year 1974 from Banaras Hindu University in first division. Enrolled as an Advocate in April 1974 with Delhi Bar Council. Awarded foreign scholarship and was awarded Ph.D. by Victoria University, Manchester (U.K.) in the year 1979. Practised in Supreme Court and Delhi High Court in Civil, Criminal, Commercial Taxes and Services Matters. Elevated as permanent Judge of the Allahabad High Court on April 05, 1995. Transferred to Rajasthan High Court in July, 1997. Again transferred to Allahabad High Court in March, 2003. Took over as Chief Justice of Orissa High Court on July 16, 2008. Elevated as Judge, Supreme Court of India on May 11, 2009.

Due to retire on 02nd July, 2014 (F/N)

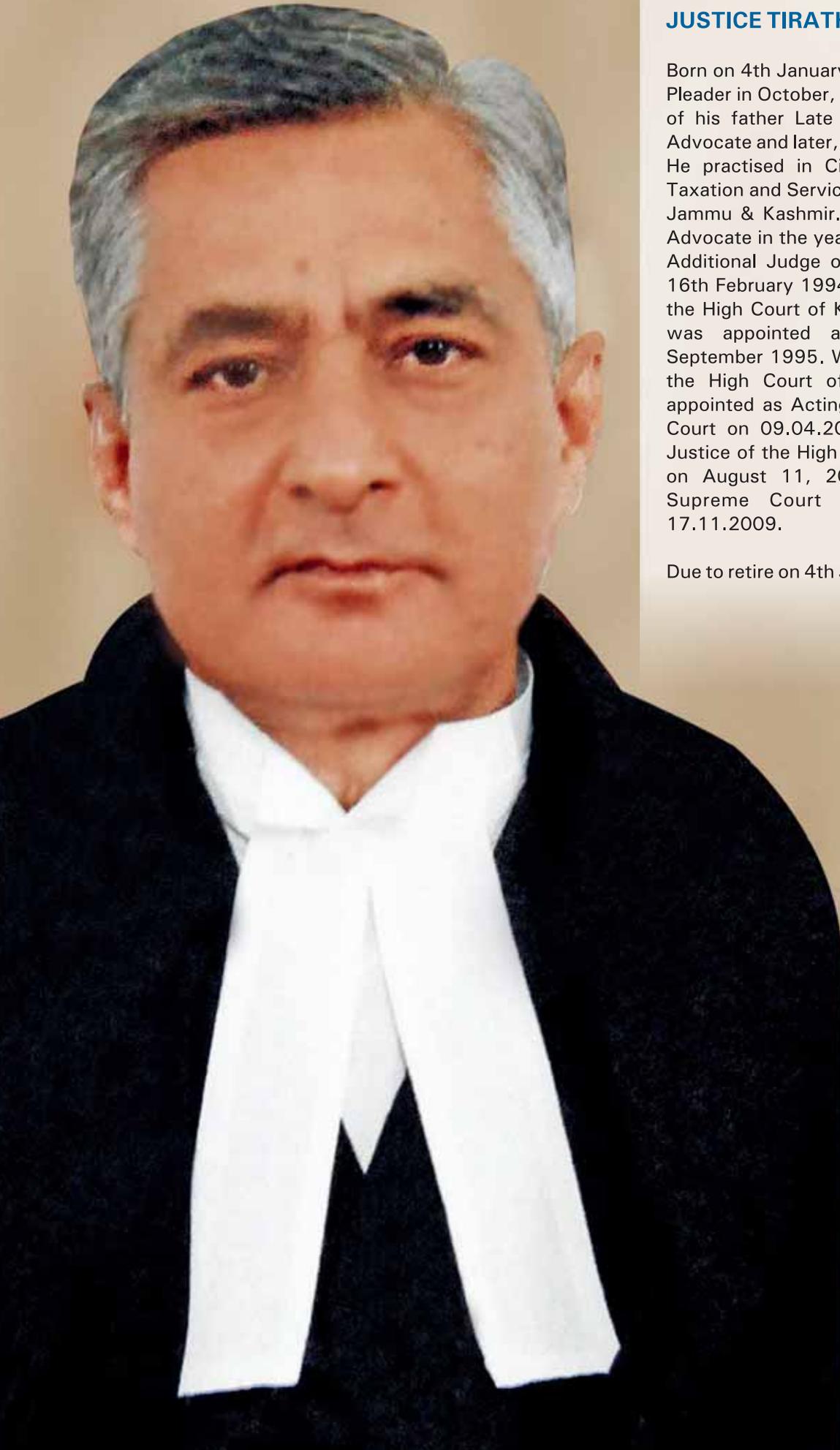




JUSTICE A.K. PATNAIK

Born on June 3, 1949. He Graduated from Delhi University and did his L.L.B. Enrolled on 28/03/1974. He practised in the High Court, Subordinate Courts and Tribunals in Orissa and the Supreme Court of India in different branches of law. Assumed charge as an Additional Judge of Orissa High Court on 13th of January, 1994. Transferred to Gauhati High Court on 7th of February 1994. He became a permanent judge of the Gauhati High Court in 1995. Re-transferred to the Orissa High Court and assumed charge on 15.04.2002. Appointed as the Chief Justice of Chhattisgarh High Court and assumed charge on 14.03.2005. Assumed Charge as Chief Justice of the High Court of Madhya Pradesh on October 3, 2005. Elevated to Supreme Court and assumed office on 17.11.2009.

Due to retire on 3rd June, 2014 (F/N)



JUSTICE TIRATH SINGH THAKUR

Born on 4th January, 1952. He was enrolled as a Pleader in October, 1972 and joined the Chamber of his father Late Shri D.D. Thakur, a leading Advocate and later, a Judge of High Court of J&K. He practised in Civil, Criminal, Constitutional, Taxation and Service matters in the High Court of Jammu & Kashmir. Was designated as a Senior Advocate in the year 1990. Was appointed as an Additional Judge of the High Court of J&K on 16th February 1994 and transferred as Judge of the High Court of Karnataka in March 1994. He was appointed as a permanent Judge in September 1995. Was transferred as a Judge of the High Court of Delhi in July 2004. Was appointed as Acting Chief Justice of Delhi High Court on 09.04.2008 and took over as Chief Justice of the High Court of Punjab and Haryana on August 11, 2008. Elevated as Judge of Supreme Court and assumed charge on 17.11.2009.

Due to retire on 4th January, 2017(F/N).



JUSTICE K S.P. RADHAKRISHNAN

Born on 15.05.1949, Enrolled as Advocate on December 8, 1973 and practised in the High Court of Kerala. Obtained Master's Degree in Law in Administrative Law and also Post Graduate Diploma in Constitutional Law from ICPS, New Delhi. Was appointed as Additional Judge of the Kerala High Court on May 17, 1995 and Permanent Judge on January 16, 1996. Elevated as Chief Justice of High Court of Jammu & Kashmir and assumed charge of office on 07-01-2008 and also functioned as Patron-in-Chief of the Jammu and Kashmir Legal Services Authority. Assumed charge as the Chief Justice of High Court of Gujarat on 04.09.2008. He is now functioning as the Member of General Council of the Gujarat National Law University and also Patron-in-Chief of Gujarat State Legal Services Authority, Gujarat State Judicial Academy and Gujarat High Court Mediation Centre. Elevated to Supreme Court and assumed office on 17.11.2009.

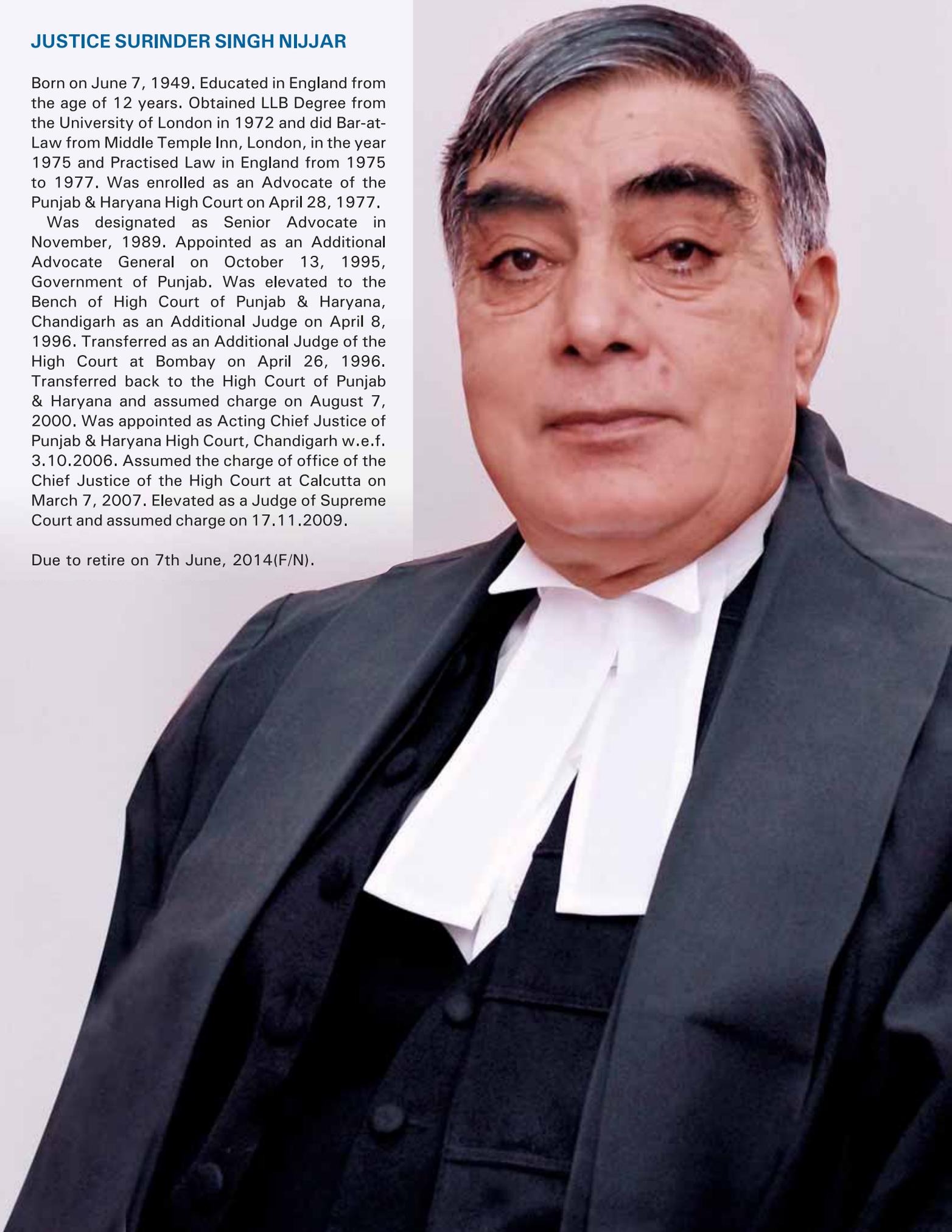
Due to retire on 15th May, 2014(F/N).

JUSTICE SURINDER SINGH NIJJAR

Born on June 7, 1949. Educated in England from the age of 12 years. Obtained LLB Degree from the University of London in 1972 and did Bar-at-Law from Middle Temple Inn, London, in the year 1975 and Practised Law in England from 1975 to 1977. Was enrolled as an Advocate of the Punjab & Haryana High Court on April 28, 1977.

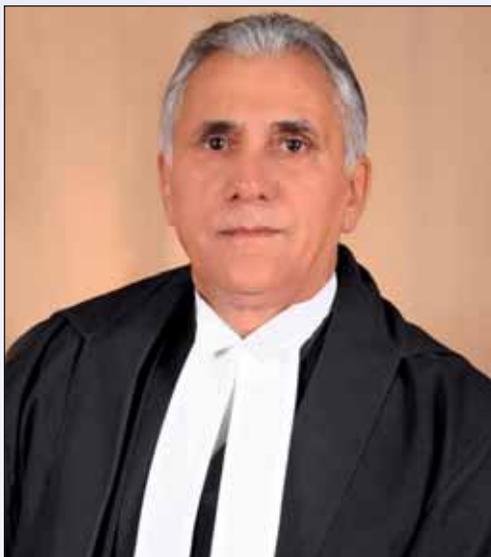
Was designated as Senior Advocate in November, 1989. Appointed as an Additional Advocate General on October 13, 1995, Government of Punjab. Was elevated to the Bench of High Court of Punjab & Haryana, Chandigarh as an Additional Judge on April 8, 1996. Transferred as an Additional Judge of the High Court at Bombay on April 26, 1996. Transferred back to the High Court of Punjab & Haryana and assumed charge on August 7, 2000. Was appointed as Acting Chief Justice of Punjab & Haryana High Court, Chandigarh w.e.f. 3.10.2006. Assumed the charge of office of the Chief Justice of the High Court at Calcutta on March 7, 2007. Elevated as a Judge of Supreme Court and assumed charge on 17.11.2009.

Due to retire on 7th June, 2014(F/N).



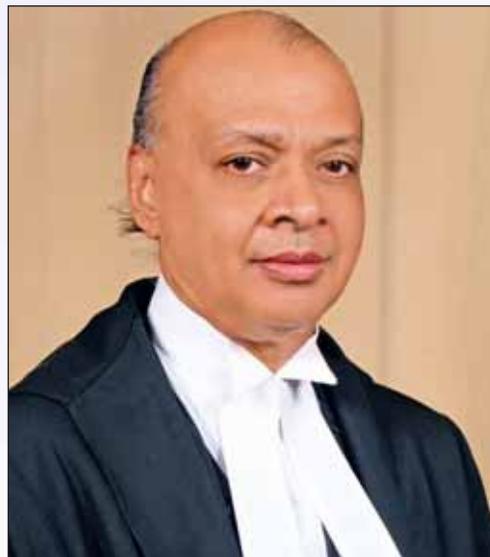
Hon'ble Judges who retired during the year 2008-2009*

LOKESHWAR SINGH PANTA



Date of Appointment – 03.02.2006
Held office Till – 23.4.2009

DR.ARIJIT PASAYAT



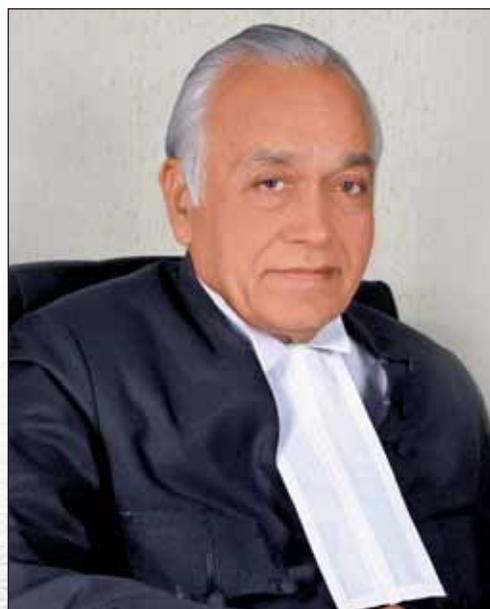
Date of Appointment – 19.10.2001
Held office Till – 10.05.2009

S.B. SINHA



Date of Appointment – 03.10.2002
Held office Till – 08.08.2009

B.N. AGRAWAL



Date of Appointment – 19.10.2000
Held office Till – 15.10.2009

(Period of Report is from 26-11-2008 till 25-11-2009)



Court of the Chief Justice of India

2

An Overview

The Connotation “Supreme Court of India” invokes great respect in the minds of millions of citizens of India and the hearts are imbued with the spirit of confidence that the country is and will remain stable with justice for all as long as the Supreme Court of India is in command of the judicial system. It is said that – “Roots of the present lie deep in the past”. India has one of the oldest legal systems in the world, its law and jurisprudence stretches back into the centuries, forming a living tradition which has grown and evolved with the lives of its diverse people.

To understand the present, it may be worth taking a few steps back and looking at the times of the British. Hence, a note is being taken of the major incidents which shaped the society in a manner so as to make it receptive to present the judicial system which could come up and function effectively.

A RETROSPECT

- 1 The history of the present judicial system may be traced back to the year 1726 when a Charter was issued by the King George-I for bringing out the important changes in the judicial administration of the Presidency Towns of Bombay, Calcutta and Madras. The system of appeals from India to Privy Council in England has been introduced by this Charter of 1726.
- 2 In order to bring better management of the affairs of the East India Company, Regulating Act of 1773 was promulgated by the King. This Act subjected the East India Company to the control of the British government, and made a provision for His Majesty, by Charters or Letters Patent, to establish the Supreme Court of Judicature at Fort William at Calcutta superseding the then prevalent judicial system. The Supreme Court of Judicature at Fort William was established by Letter Patent issued on March 26, 1774. This Court, as a court of record, had full power and authority to hear and determine all complaints against any

of His Majesty's subjects for any crimes and also to entertain, hear and determine, any suits or actions against any of His Majesty's subjects in Bengal, Bihar and Orissa. Two more Supreme Courts, on the same lines as Supreme Court of Calcutta, were established at Madras and Bombay by King George -III through Charters issued on 26th December, 1800 and on 8th December, 1823 respectively.



Supreme Court Building at Fort William, Calcutta – a lithograph

- 3 The role of the Privy Council has been a great unifying force and the instrument and embodiment of the rule of law in India. The Judicial Committee of Privy Council had been made a Statutory Permanent Committee of legal experts to hear appeals from the British Colonies in the year 1833 by an Act passed by the British Parliament. Thus, the Act of 1833 transformed the Privy Council into a great Imperial Court of unimpeachable authority.
- 4 Indian High Courts Act, 1861 was an event of unique importance and precursor of the modern era of law and Justice in India. The Act re-organized the then prevalent judicial system by abolishing the Supreme Courts at Calcutta, Madras and Bombay and also the then existing Sadar Adalats in the Presidency Towns. The High Courts established thereunder (in 1862)



Inaugural sitting of Federal Court on December 6, 1937

- were vested with Civil, Criminal, Admiralty, Testamentary, Matrimonial besides Original & Appellate Jurisdiction. These High Courts had the distinction of being the highest Courts for all cases till the creation of Federal Court of India under the Government of India Act, 1935.
- 5 Reforms of great importance came with the Government of India Act, 1935, which introduced responsibility at the provincial level and aimed at union of British Indian Provinces with the rulers of States into a federation. With a view to ensure a just and competent administration of law between governments themselves, the Act provided for the establishment of the Federal Court. Appeals from the High Courts and the Federal Court lay in Privy Council in England. The Federal Court was the second highest Court in the judicial hierarchy in India for matters involving the interpretation of any provision of the Act. This position continued till the abolition of jurisdiction of Privy Council in 1949.
 - 6 In Indian context, Federal Court was the first Constitutional Court and also the first Court of extensive jurisdiction with Original jurisdiction in matters involving dispute between provinces or federal States. It would function as the Appellate Court against the judgments, decrees or final orders of the High Courts. The doctrine of precedent in India was strengthened as, just like Privy Council, the law declared by Federal Court was also given binding effect on all the Courts in British India. The Federal Court functioned from the "Chamber of Princes" in Parliament building in New Delhi.
 - 7 With the transfer of power on 15th August 1947 from the British Parliament to the people of India, the need to establish a judicial system free from British control was addressed gradually. Federal Court (Enlargement of Jurisdiction Act), 1947 enhanced the sweep of powers & jurisdiction Act, 1949, elevated it as the highest judicial organ in India, supreme in its authority and jurisdiction.
 - 8 "We, the people" of independent India, through Constituent Assembly, enforced on 26th January, 1950 gave into ourselves our own Constitution providing, inter alia, for replacing the Federal Court by establishing Supreme Court of India as the court at the apex of judicial hierarchy in the land. When the Federal Court ceased to exist, its Judges became judges of the Supreme Court of India, carrying with them a tradition of jurisdiction, independence and courage. The Federal Court thus has the pride of place in Indian legal history as the fore-runner of the Supreme Court of India. Supreme Court also had its sitting in the Chamber of Princes in Parliament Building upto 1958, when it was shifted to the present building of the Court.

THE SUPREME COURT OF INDIA – AT PRESENT

- 9 The Supreme Court, conceived as the "guardian of social revolution" (so described in the proceedings of the Constituent Assembly), with its seat at Delhi, is the repository of all judicial powers at the national level, it being at the summit of the pyramid of administration of justice and as the upholder & final interpreter of the Constitution of India as indeed in its role of defender of the fundamentals of the 'rule of law'.



Hon'ble H.J. Kania, The First Chief Justice of Supreme Court of India

- 10 Chapter IV of the Constitution of India makes provision for "Union Judiciary". Article 124 deals with establishment and constitution of the Supreme Court, inter alia, prescribing in composition, qualifications for and making of appointment as a Judge thereof, and removal of a Judge from Office etc. Article 125 deals with salaries etc. of Hon'ble Judges. There is provision for appointment of ad hoc Judges, and attendance of retired Judges at sittings, under Article 128. It is a Court of Record (per Article 129) and has all the powers of such Court including the power to punish for contempt.
- 11 Since its inception, it has been conferred with a jurisdiction far greater than that of any comparable court anywhere in the world. With its extensive powers under Articles 33 & 129 to 145 of the Constitution, the Supreme Court stands out as the forum for redressal of

grievances and as the guardian of liberties, rights and as the final arbiter in most of disputes not only between individuals, but also between States or between the Union and State or between individual and State. As an appellate court, it can hear appeals from the High Courts on civil, criminal and constitutional matters. It possesses a special appellate power to permit appeal from any Tribunal, Court or High Court. In the years that have followed after its establishment, this special jurisdiction has dwarfed all others. The Court can review its own judgments. In its advisory capacity, it answers references by the President of India on any questions of law or fact of public importance, which may have arisen or likely to arise.

- 12 The system of precedent has taken a powerful factor in the development of common law in England as the Indian legal system had its roots in the British system. Similar theory has come to prevail in India also and the binding force of element is firmly established. As per Article 141 of the Constitution of India the law declared by the Supreme Court is binding on all Courts within the territory of India. Thus Judgments of Superior Courts are binding on the Courts subordinate to it.
- 13 The Constitution of India conferred a Special and Unique power to the Judges of the Supreme Court, which has not been conferred on Judges of High Courts or of any other Courts in the Country. Article 142(1) provides that the Supreme Court, in the exercise of its jurisdiction, may pass such decree or make such order as is necessary for doing complete justice in any case or matter pending before it, and any decree so passed, or order so made, is enforceable throughout the territory of India.
- 14 The Supreme Court is designated as the custodian of fundamental rights and "Rule of Law". Article 144 commands all authorities, civil and judicial, to act in aid of the Supreme Court. Interwoven into these powers is the power of judicial review, the power to strike down such legislation or executive action as may be violative of the provisions or scheme of the Constitution (e.g. the distribution of power between Union and States) or inimical to fundamental rights guaranteed by the Constitution.
- 15 The Court has the authority to pass any decree and order as is necessary for doing "complete justice".

Thus, the Supreme Court of India has established a reputation to itself and is well recognized in the jurisprudential world map of law and justice. Over the years, Judges have

had camaraderie which has made the Supreme Court a viable institution of Governance. During this period, Judges of the Supreme Court have been called upon to give Judgments on issues of monumental judicial significance and the Court laid down the constitutional discipline within which transgression of fundamental rights and appeals to the public interest has been considered.

STRENGTH OF JUDGES:

16. The present strength of Supreme Court Judges is 31 i.e. one the Chief Justice of India and 30 Judges. The strength of the Judges in the Supreme Court at the time of its inception was 8 which has been increased from time to time by amending the Supreme Court (Number of Judges) Act, 1965. The strength of the Judges in the Supreme Court, as increased by amending Acts from time to time, has been as under:-

Constitution/ Acts	Strength of Judges	Bill No.
Constitution - Article 124	1 + 7 = 8	
Act. No. 55/1956	1 + 10 = 11	L.S.Bill No.44/1956
Act No. 17/1960	1 + 13 = 14	L.S.Bill No.V/1960
Act No. 48/1977	1 + 17 = 18	L.S.Bill No.135/1977
Act No. 22/1986	1 + 25 = 26	L.S.Bill No.157/1985
Act No. 11/2009	1 + 30 = 31	L.S.Bill No.41/2008

THE COURT AND ITS PREDECESSORS:

17. The Supreme Court, since its inception has been nurtured and served by the judicial vision of 36 Hon'ble Chief Justices and 126 Hon'ble Judges till the date of publication of this report besides the present Hon'ble the Chief Justice of India and 21 Hon'ble Judges.

COURT BUILDING

18. The Supreme Court of India which was functioning since 26th January, 1950 from the Chamber of Princes, in Parliament House, shifted to the present building on 4th August, 1958. The building is shaped to project the image of scales of justice. The central wing of the building appears like the central beam of the scales and consists of five Court Rooms with the Chief Justice's Court at the centre. The Chief Justice's Court is the largest of the Courts with a floor area of 3,000 sq.ft. The Bar Room, the offices of Law Officers and the Library of the Court are housed in the left wing

of the building, while the right wing accommodates the offices of the Court.

19. In the year 1979, two new wings, the east and the west wing, were added to the complex. Both consist of two Court Rooms each. The Court Rooms are centrally air-conditioned, are carpeted and the sidewalls are panelled in timber. The ceilings of Court Rooms are treated acoustically, to avoid resonance. The exterior of the building is dressed in red sand stone, in keeping with the architecture of important buildings in the capital city of Delhi. Along the main corridors of the building, stand imposing columns in Grecian architecture. There is a happy blending of the Indian and the Grecian architectures in the construction of the building.
20. In the year 1994, second extension of the building was made connecting the east wing and the west wing of the first extension. The ground floor has office rooms. There are ten Court Rooms and Judges' Assembly Hall/Common Room on the first floor. The Second floor of the block has four chambers for the Hon'ble Judges and one Conference Hall for Officers. The third floor of the block has office rooms, Judges' library and Advocates' Library (R.K. Garg Memorial).
21. A mural of coloured porcelain tiles adorns the passage between the Chief Justice's Court and the Chief Justice's Chamber. In the centre of the mural is the "Dharma Chakra" with an inscription in Sanskrit, which in English means "Truth alone, I uphold". On one side of the "Dharma Chakra" is the Goddess of Justice with scales of Justice in her hand while on the other side is the life size figure of Mahatma Gandhi, the apostle of truth and non-violence.
22. On the main lawns in the front of the complex is a sculpture, which represents Mother India in the form of a lady. The lady is sheltering the young Republic of India represented symbolically by figure of a child, who is upholding the laws of land symbolically shown in the form of an open book. On the Book the balance is shown which represents dispensation of equal justice to all. The sculpture was made by renowned artist, Shri Chintamani Kar.

MISCELLANEOUS

23. One Conference Room, one Reading Room and a Committee Room have newly been constructed for Hon'ble Judges in the existing building. Hitech-Security equipments have been installed in the High Security Zone. Entry to the above zone is regulated with proximity cards and photo entry passes.



After the inaugural function of the new Supreme Court Building on August 4, 1958, President Rajendra Prasad, Vice President S. Radhakrishnan, Chief Justice S.R. Das, Speaker of the Lok Sabha Ananthasayanam Ayyangar and Prime Minister Jawaharlal Nehru go round the Judges' Library.

TRANSIT HOME-CUM-GUEST HOUSE

24. The Transit Home-cum-Guest House of the Supreme Court of India is at Bungalow No.1, Rajaji Marg, New Delhi. The building is allotted by Hon'ble the Chief Justice of India to newly appointed Hon'ble Judge of the Supreme Court till the Judge shifts to the official Bungalow, and also to retired Hon'ble Chief Justices of India/Hon'ble Judges of this Court visiting Delhi, and other dignitaries. Recently, Bungalow No.34, Prithviraj Road was allotted to Supreme Court as the Transit Home-cum-Guest House. Bungalow No.1, Rajaji Marg is now proposed to be used as residential home for an Hon'ble Judge.

LAWYERS' CHAMBERS

25. Originally, 43 Lawyers' Chambers were constructed in the year 1959. 35 more chambers were constructed in the second block of Lawyers' Chambers in the year 1963. To meet the needs of the members of the Bar, a third block was constructed in the year 1972, and a fourth block one in the year 1978. In addition to the above, four Lawyers Chamber Blocks in the Supreme Court premises and one Lawyers Chambers Building renamed as "M.C. Setalvad Lawyers' Chambers" at Bhagwan Das Road were constructed in the year 1998 which comprises 149 chambers. In 2005 a four-storied Lawyers Chambers' Building renamed as "C.K. Daphtary Lawyers' Chambers" was constructed at Tilak Lane which has 72 chambers.

SUPREME COURT MUSEUM

26. It is located within the Supreme Court Compound and is of round shape with one pillar in the centre, like an umbrella. It has a covered area of approximately 5000 sq.ft. on the ground floor and basement floor. The Museum is divided into two sections. The first section deals with the evolution and development of Judiciary in India and the second portrays the Federal Court and the Supreme Court.

27. The Museum exhibits all the objects relating to Judicial system in various historical period of time which includes Manuscripts, Copper Plates, Maces, Photographs of Hon'ble the Chief Justices and Hon'ble Judges of Federal Court and the Supreme Court and landmark Judgments. Documentary films "Supreme Court of India" and "Evolution of Judicial system in India" are screened in the Museum for the general visitors.

The Hon'ble Judges of the Supreme Court, who are the members of the Museum Committee, have decided to hold a series of exhibitions on pre-independence trials in the Supreme Court Museum. It was felt that such exhibitions would create awareness about famous trials of pre-independence era particularly those associated with India's struggle for independence. "Alipore Bomb Conspiracy Case" was the first in the series, followed by another exhibition on the "Trial of Bhagat Singh" inaugurated on 27th September, 2008. These exhibitions were great success and attracted a large number of visitors from all section of society.

RETIRED HON'BLE CHIEF JUSTICES (ARRANGED ACCORDING TO SENIORITY)

S. No.	Name	Date of Appointment	Date of Appointment As C.J.I.	Held Office Till
1.	Hon'ble Mr. Justice Harilal Jekisundas Kania	26/01/1950	26/01/1950	06/11/1951 *
2.	Hon'ble Mr. Justice M. Patanjali Sastri	26/01/1950	07/11/1951	03/01/1954
3.	Hon'ble Mr. Justice Mehr Chand Mahajan	26/01/1950	04/01/1954	22/12/1954
4.	Hon'ble Mr. Justice Bijan Kumar Mukherjee	26/01/1950	23/12/1954	31/01/1956 **
5.	Hon'ble Mr. Justice Sudhi Ranjan Das	26/01/1950	01/02/1956	30/09/1959
6.	Hon'ble Mr. Justice Bhuvneshwar Prasad Sinha	03/12/1954	01/10/1959	31/01/1964
7.	Hon'ble Mr. Justice P.B. Gajendragadkar	17/01/1957	01/02/1964	15/03/1966
8.	Hon'ble Mr. Justice A.K. Sarkar	04/03/1957	16/03/1966	29/06/1966
9.	Hon'ble Mr. Justice K. Subba Rao	31/01/1958	30/06/1966	11/04/1967 **
10.	Hon'ble Mr. Justice K.N. Wanchoo	11/08/1958	12/04/1967	24/02/1968
11.	Hon'ble Mr. Justice M. Hidayatullah	01/12/1958	25/02/1968	16/12/1970
12.	Hon'ble Mr. Justice J.C. Shah	12/10/1959	17/12/1970	21/01/1971
13.	Hon'ble Mr. Justice S.M. Sikri	03/02/1964	22/01/1971	25/04/1973
14.	Hon'ble Mr. Justice A.N. Ray	01/08/1969	26/04/1973	28/01/1977
15.	Hon'ble Mr. Justice M. Hameedullah Beg	10/12/1971	29/01/1977	21/02/1978
16.	Hon'ble Mr. Justice Y.V. Chandrachud	28/08/1972	22/02/1978	11/07/1985
17.	Hon'ble Mr. Justice P.N. Bhagwati	17/07/1973	12/07/1985	20/12/1986
18.	Hon'ble Mr. Justice R.S. Pathak	20/02/1978	21/12/1986	18/06/1989 **
19.	Hon'ble Mr. Justice E.S. Venkataramiah	08/03/1979	19/06/1989	17/12/1989
20.	Hon'ble Mr. Justice Sabyasachi Mukherjee	15/03/1983	18/12/1989	25/09/1990 *
21.	Hon'ble Mr. Justice Ranganath Misra	15/03/1983	25/09/1990	24/11/1991
22.	Hon'ble Mr. Justice K.N. Singh	10/03/1986	25/11/1991	12/12/1991
23.	Hon'ble Mr. Justice M.H. Kania	01/05/1987	13/12/1991	17/11/1992
24.	Hon'ble Mr. Justice L.M. Sharma	05/10/1987	18/11/1992	11/02/1993
25.	Hon'ble Mr. Justice M.N. Venkatachaliah	05/10/1987	12/02/1993	24/10/1994
26.	Hon'ble Mr. Justice A.M. Ahmadi	14/12/1988	25/10/1994	24/03/1997
27.	Hon'ble Mr. Justice J.S. Verma	03/06/1989	25/03/1997	17/01/1998
28.	Hon'ble Mr. Justice M.M. Punchhi	06/10/1989	18/01/1998	09/10/1998
29.	Hon'ble Dr. Justice A.S. Anand	18/11/1991	10/10/1998	31/10/2001
30.	Hon'ble Mr. Justice S.P. Bharucha	01/07/1992	01/11/2001	05/05/2002
31.	Hon'ble Mr. Justice B.N. Kirpal	11/09/1995	06/05/2002	07/11/2002
32.	Hon'ble Mr. Justice G.B. Pattanaik	11/09/1995	08/11/2002	18/12/2002
33.	Hon'ble Mr. Justice V.N. Khare	21/03/1997	19/12/2002	01/05/2004
34.	Hon'ble Mr. Justice S. Rajendra Babu	25/09/1997	02/05/2004	31/05/2004
35.	Hon'ble Mr. Justice R.C. Lahoti	09/12/1998	01/06/2004	31/10/2005
36.	Hon'ble Mr. Justice Y.K. Sabharwal	28/01/2000	01/11/2005	13/01/2007

* Date of Death ** Date of Resignation

RETIRED HON'BLE JUDGES (ARRANGED ACCORDING TO SENIORITY)

S. No.	Name Of The Hon'ble Judge	Date of Appointment	Held Office Till
1.	Hon'ble Mr. Justice Sir Saiyid Fazl Ali	26/01/1950	18/09/1951
2.	Hon'ble Mr. Justice N. Chandrasekhara Aiyar	23/09/1950	24/01/1953
3.	Hon'ble Mr. Justice Vivian Bose	05/03/1951	08/06/1956
4.	Hon'ble Mr. Justice Ghulam Hasan	08/09/1952	05/11/1954*
5.	Hon'ble Mr. Justice Natwarlal Harilal Bhagwati	08/09/1952	06/06/1959
6.	Hon'ble Mr. Justice B. Jagannadhadas	09/03/1953	26/07/1958
7.	Hon'ble Mr. Justice T.L. Venkatarama Aiyar	04/01/1954	24/11/1958
8.	Hon'ble Mr. Justice Syed Jaffer Imam	10/01/1955	31/01/1964**
9.	Hon'ble Mr. Justice S.K. Das	30/04/1956	02/09/1963
10.	Hon'ble Mr. Justice P. Govinda Menon	01/09/1956	16/10/1957*
11.	Hon'ble Mr. Justice J.L. Kapur	14/01/1957	12/12/1962
12.	Hon'ble Mr. Justice K.C. Das Gupta	24/08/1959	02/01/1965
13.	Hon'ble Mr. Justice Raghubar Dayal	27/07/1960	25/10/1965
14.	Hon'ble Mr. Justice N. Rajagopala Ayyangar	27/07/1960	14/12/1964
15.	Hon'ble Mr. Justice J.R. Madholkar	03/10/1960	03/07/1966**
16.	Hon'ble Mr. Justice R.S. Bachawat	07/09/1964	31/07/1969
17.	Hon'ble Mr. Justice V. Ramaswami	04/01/1965	29/10/1969
18.	Hon'ble Mr. Justice P. Satyanarayana Raju	20/10/1965	20/04/1966*
19.	Hon'ble Mr. Justice J.M. Shelat	24/02/1966	30/04/1973**
20.	Hon'ble Mr. Justice Vishishtha Bhargava	08/08/1966	04/02/1971
21.	Hon'ble Mr. Justice G.K. Mitter	29/08/1966	23/09/1971
22.	Hon'ble Mr. Justice C.A. Vaidyalingam	10/10/1966	29/06/1972
23.	Hon'ble Mr. Justice K.S. Hegde	17/07/1967	30/04/1973**
24.	Hon'ble Mr. Justice A.N. Grover	11/02/1968	31/05/1973**
25.	Hon'ble Mr. Justice P. Jaganmohan Reddy	01/08/1969	22/01/1975
26.	Hon'ble Mr. Justice I.D. Dua	01/08/1969	03/10/1972
27.	Hon'ble Mr. Justice Subimal Chandra Roy	19/07/1971	12/11/1971*
28.	Hon'ble Mr. Justice D.G. Palekar	19/07/1971	03/09/1974
29.	Hon'ble Mr. Justice Hans Raj Khanna	22/09/1971	11/03/1977**
30.	Hon'ble Mr. Justice Kuttyil Kurien Mathew	04/10/1971	02/01/1976
31.	Hon'ble Mr. Justice S.N. Dwivedi	14/08/1972	08/12/1974*
32.	Hon'ble Mr. Justice A.K. Mukherjee	14/08/1972	23/10/1973*
33.	Hon'ble Mr. Justice A. Alagiriswami	17/10/1972	16/10/1975

S. No.	Name Of The Hon'ble Judge	Date of Appointment	Held Office Till
34.	Hon'ble Mr. Justice V.R. Krishna Iyer	17/07/1973	14/11/1980
35.	Hon'ble Mr. Justice P.K. Goswami	10/09/1973	31/12/1977
36.	Hon'ble Mr. Justice R.S. Sarkaria	17/09/1973	15/01/1981
37.	Hon'ble Mr. Justice A.C. Gupta	02/09/1974	31/12/1981
38.	Hon'ble Mr. Justice N.L. Untwalia	03/10/1974	31/07/1980
39.	Hon'ble Mr. Justice S. Murtaza Fazal Ali	02/04/1975	20/08/1985*
40.	Hon'ble Mr. Justice P.N. Shingal	06/11/1975	14/10/1980
41.	Hon'ble Mr. Justice Jaswant Singh	23/01/1976	24/01/1979
42.	Hon'ble Mr. Justice P.S. Kailasam	03/01/1977	11/09/1980
43.	Hon'ble Mr. Justice V.D. Tulzapurkar	30/09/1977	08/03/1986
44.	Hon'ble Mr. Justice D.A. Desai	30/09/1977	08/05/1985
45.	Hon'ble Mr. Justice A.D. Koshal	17/07/1978	06/03/1982
46.	Hon'ble Mr. Justice O. Chinnappa Reddy	17/07/1978	24/09/1987
47.	Hon'ble Mr. Justice A.P. Sen	17/07/1978	19/09/1988
48.	Hon'ble Mr. Justice Baharul Islam	04/12/1980	12/01/1983**
49.	Hon'ble Mr. Justice A. Varadarajan	10/12/1980	16/08/1985
50.	Hon'ble Mr. Justice Amarendra Nath Sen	28/01/1981	30/09/1985
51.	Hon'ble Mr. Justice V. Balakrishna Eradi	30/01/1981	18/06/1987
52.	Hon'ble Mr. Justice R.B. Misra	30/01/1981	14/06/1986
53.	Hon'ble Mr. Justice D.P. Madon	15/03/1983	06/04/1986
54.	Hon'ble Mr. Justice M.P. Thakkar	15/03/1983	03/11/1988
55.	Hon'ble Mr. Justice V. Khalid	25/06/1984	30/06/1987
56.	Hon'ble Mr. Justice G.L. Oza	29/10/1985	11/12/1989
57.	Hon'ble Mr. Justice B.C. Ray	29/10/1985	31/10/1991
58.	Hon'ble Mr. Justice M.M. Dutt	10/03/1986	29/10/1989
59.	Hon'ble Mr. Justice S. Natarajan	10/03/1986	28/10/1989
60.	Hon'ble Mr. Justice K. Jagannatha Shetty	01/05/1987	14/12/1991
61.	Hon'ble Mr. Justice S. Ranganathan	05/10/1987	30/10/1992
62.	Hon'ble Mr. Justice D.N. Ojha	18/01/1988	18/01/1991
63.	Hon'ble Mr. Justice S. Ratnavel Pandian	14/12/1988	12/03/1994
64.	Hon'ble Dr. Justice T.K. Thommen	14/12/1988	25/09/1993
65.	Hon'ble Mr. Justice K.N. Saikia	14/12/1988	28/02/1991
66.	Hon'ble Mr. Justice Kuldip Singh	14/12/1988	31/12/1996
67.	Hon'ble Mr. Justice V. Ramaswami	06/10/1989	14/02/1994
68.	Hon'ble Mr. Justice P.B. Sawant	06/10/1989	29/06/1995
69.	Hon'ble Mr. Justice N.M. Kasliwal	06/10/1989	03/04/1993

S. No.	Name Of The Hon'ble Judge	Date of Appointment	Held Office Till
70.	Hon'ble Mr. Justice K. Ramaswamy	06/10/1989	12/07/1997
71.	Hon'ble Ms. Justice M. Fathima Beevi	06/10/1989	29/04/1992
72.	Hon'ble Mr. Justice K. Jayachandra Reddy	11/01/1990	14/07/1994
73.	Hon'ble Mr. Justice S.C. Agrawal	11/01/1990	04/09/1998
74.	Hon'ble Mr. Justice R.M. Sahai	11/01/1990	24/06/1995
75.	Hon'ble Mr. Justice Yogeshwar Dayal	22/03/1991	02/08/1994*
76.	Hon'ble Mr. Justice S. Mohan	07/10/1991	10/02/1995
77.	Hon'ble Mr. Justice B.P. Jeevan Reddy	07/10/1991	13/03/1997
78.	Hon'ble Mr. Justice G.N. Ray	07/10/1991	30/04/1998
79.	Hon'ble Mr. Justice R.C. Patnaik	03/12/1991	30/05/1992*
80.	Hon'ble Mr. Justice N.P. Singh	15/06/1992	24/12/1996
81.	Hon'ble Mr. Justice N. Venkatachala	01/07/1992	02/07/1995
82.	Hon'ble Mr. Justice M.K. Mukherjee	14/12/1993	30/11/1998
83.	Hon'ble Mr. Justice Faizan Uddin	14/12/1993	04/02/1997
84.	Hon'ble Mr. Justice B.L. Hansaria	14/12/1993	24/12/1996
85.	Hon'ble Mr. Justice S.C. Sen	11/06/1994	20/12/1997
86.	Hon'ble Mr. Justice K.S. Paripoornan	11/06/1994	11/06/1997
87.	Hon'ble Mr. Justice S.B. Majumdar	19/09/1994	19/08/2000
88.	Hon'ble Ms. Justice Sujata V. Manohar	08/11/1994	27/08/1999
89.	Hon'ble Mr. Justice G.T. Navavati	06/03/1995	16/02/2000
90.	Hon'ble Mr. Justice S. Saghir Ahmad	06/03/1995	30/06/2000
91.	Hon'ble Mr. Justice K. Venkataswami	06/03/1995	18/09/1999
92.	Hon'ble Mr. Justice S.P. Kurdukar	29/03/1996	15/01/2000
93.	Hon'ble Mr. Justice K.T. Thomas	29/03/1996	29/01/2002
94.	Hon'ble Mr. Justice M. Jagannadha Rao	21/03/1997	01/12/2000
95.	Hon'ble Mr. Justice D.P. Wadhwa	21/03/1997	04/05/2000
96.	Hon'ble Mr. Justice M. Srinivasan	25/09/1997	25/02/2000*
97.	Hon'ble Mr. Justice Ajay Prakash Misra	04/12/1997	31/08/2001
98.	Hon'ble Mr. Justice S.S.M. Quadri	04/12/1997	04/04/2003
99.	Hon'ble Mr. Justice M.B. Shah	09/12/1998	24/09/2003
100.	Hon'ble Mr. Justice D.P. Mohapatra	09/12/1998	02/08/2002
101.	Hon'ble Mr. Justice U.C. Banerjee	09/12/1998	17/11/2002
102.	Hon'ble Mr. Justice N. Santosh Hegde	08/01/1999	15/06/2005
103.	Hon'ble Mr. Justice R.P. Sethi	08/01/1999	06/07/2002
104.	Hon'ble Mr. Justice S.N. Phukan	28/01/1999	31/3/2002
105.	Hon'ble Mr. Justice Doraiswamy Raju	28/01/2000	01/07/2004

S. No.	Name Of The Hon'ble Judge	Date of Appointment	Held Office Till
106.	Hon'ble Ms. Justice Ruma Pal	28/01/2000	02/06/2006
107.	Hon'ble Mr. Justice S.N. Variava	15/03/2000	07/11/2005
108.	Hon'ble Mr. Justice Shivaraj V. Patil	15/03/2000	11/01/2005
109.	Hon'ble Mr. Justice Brijesh Kumar	19/10/2000	09/06/2004
110.	Hon'ble Mr. Justice B.N. Agrawal	19/10/2000	15/10/2009
111.	Hon'ble Mr. Justice P. Venkatarama Reddi	17/08/2001	09/08/2005
112.	Hon'ble Mr. Justice Ashok Bhan	17/08/2001	02/10/2008
113.	Hon'ble Dr. Justice Arijit Pasayat	19/10/2001	10/05/2009
114.	Hon'ble Mr. Justice B.P. Singh	14/12/2001	08/07/2007
115.	Hon'ble Mr. Justice D.M. Dharmadhikari	05/03/2002	13/08/2005
116.	Hon'ble Mr. Justice H.K. Sema	09/04/2002	01/06/2008
117.	Hon'ble Mr. Justice S.B. Sinha	03/10/2002	08/08/2009
118.	Hon'ble Mr. Justice Arun Kumar	03/10/2002	11/04/2006
119.	Hon'ble Mr. Justice B.N. Srikrishna	03/10/2002	20/05/2006
120.	Hon'ble Dr. Justice AR. Lakshmanan	20/12/2002	21/03/2007
121.	Hon'ble Mr. Justice G.P. Mathur	20/12/2002	19/01/2008
122.	Hon'ble Mr. Justice A.K. Mathur	07/06/2004	07/08/2008
123.	Hon'ble Mr. Justice C.K. Thakker	07/06/2004	10/11/2008
124.	Hon'ble Mr. Justice P.K. Balasubramanyan	27/08/2004	27/08/2007
125.	Hon'ble Mr. Justice P.P. Naolekar	27/08/2004	29/06/2008
126.	Hon'ble Mr. Justice Lokeshwar Singh Panta	03/02/2006	23/04/2009

* Date of Death

** Date of Resignation

3

Jurisdiction

A great responsibility rests on the higher judiciary and principally on the Supreme Court, to find remedies for the legitimate complaints of the consumers of justice. The Supreme Court has to set the standards of behaviour and conduct, and the manner in which it interprets its own jurisdiction is necessarily followed by those Courts in less exalted positions.

The Supreme Court of India has the Original, Appellate and Advisory Jurisdiction. The Original Jurisdiction is used rarely by entertaining a Writ petition under Article 32 of the Constitution for the protection of Fundamental Rights. The primary task of the Supreme Court is Appellate and in that capacity it serves as final Arbitrator in the construction of Constitutional Provisions. Appeals comes to the Supreme Court from various sources, i.e. from High Courts, Tribunals and Special Tribunals etc. The different types of Jurisdictions given to the Supreme Court under the Constitutional scheme are as under:-

I. Original Jurisdiction

(a) Writ Jurisdiction:-

Under Article 32, the Supreme Court has powers to issue directions or orders including writs in the nature of Habeas Corpus, Mandamus, Prohibition, Quo Warranto and Certiorari, whichever may be appropriate, for the enforcement of any of the Fundamental Rights guaranteed under the Constitution.

(b) Election Disputes Relating to President/Vice-President of India:-

In view of Article 71, disputes relating to the election of the President or Vice-President of the Union of India may be

enquired into, and decided by the Supreme Court whose decision shall be final.

(c) Original Suits:-

In the case of contingencies enumerated under Article 131, the Supreme Court can exercise original jurisdiction to the exclusion of any other Court. Disputes between the Government of India and one or more States; or between the Government of India and any State or States on the other; or between two or more States, fall in this category.

(d) Transfer of Cases:-

The Supreme Court also has powers to transfer matters from one High Court to another High Court or from one Court subordinate to one High Court to another Court subordinate to another High Court under Section 25 of the Code of Civil Procedure, 1973. The Supreme Court can also transfer to itself any case involving same or substantially same questions of law pending before it and one or more High Courts in certain contingencies as per the provisions under Article 139A.

(e) Arbitration Matters:-

"The Appointment of Arbitrators by the Chief Justice of India Scheme, 1996" framed under Section 11(10) of the Arbitration and Conciliation Act, 1996 regulates the appointment of arbitrators under Section 11(6) of the Act.

(f) Contempt Proceedings:-

The Supreme Court of India has all the powers to punish for contempt of itself. For

this purpose, “Rules to Regulate Proceedings for Contempt of the Supreme Court, 1975” have been framed in exercise of the power under section 23 of the Contempt of Courts Act, 1971, read with Article 145 of the Constitution of India.

II. APPELLATE JURISDICTION

(a) General:-

Appellate Jurisdiction is exercised under Articles 132 to 134 of the Constitution. According to Article 132, an appeal shall lie to the Supreme Court from any Judgment, Decree or Final Order of a High Court in the territory of India, whether in a civil, criminal or other proceedings, if the High Court certifies under Article 134A that the case involves a substantial question of law as to the interpretation of the Constitution. An appeal shall also lie to Supreme Court from any Judgment, Decree or Final Order in civil proceedings of a High Court, if the High Court certifies under Article 134-A(a) that the case involves substantial question of law of general importance; and (b) that in the opinion of the High Court, the said question needs to be decided by the Supreme Court. In criminal matters, Article 134 provides for appeal to Supreme Court upon the High Court issuing a certificate about fitness of the cases for such appeal, or where sentence of death is awarded by the High Court reversing an order of acquittal by trial court, or in a case tried by the High Court, awards a sentence of death.

(b) Statutory Appeals

A number of special statutes provide for appeal to Supreme Court. Such provisions for statutory appeals include the following:-

- (i) Section 35(L) of the Central Excise Act, 1944 (1 of 1944);
- (ii) Section 116A of the Representation of the People Act, 1951 (43 of 1951);
- (iii) Section 38 of the Advocates Act, 1961 (25 of 1961);
- (iv) Section 261 of the Income Tax Act, 1961 (43 of 1961) before the establishment of National Tax Tribunal from 28.6.2005;

- (v) Section 130E of the Customs Act, 1962 (52 of 1962);
- (vi) Section 19(1)(b) of the Contempt of Courts Act, 1971 (70 of 1971);
- (vii) Section 379 of the Code of Criminal Procedure, 1973 (2 of 1974) read with Section 2 of the Supreme Court (Enlargement of Criminal Appellate Jurisdiction) Amendment Act, 1972;
- (viii) Section 23 of the Consumer Protection Act, 1986 (68 of 1986);
- (ix) Section 19 of the Terrorist and Disruptive Activities (Prevention) Act, 1987 (28 of 1987);
- (x) Section 10 of the Special Court (Trial of Offences relating to Transactions in Securities) Act, 1992 (27 of 1992);
- (xi) Section 15-Z of the Securities and Exchange Board of India Act, 1992 (15 of 1992);
- (xii) Section 18 of the Telecom Regulatory Authority of India Act, 1997 (24 of 1997);
- (xiii) Section 125 of the Indian Electricity Act, 2003 (36 of 2003);
- (xiv) Section 24 of National Tax Tribunal Act, 2005 (49 of 2005);
- (xv) Section 30 of the Armed Forces Tribunal Act, 2007 (55 of 2007).
- (xvi) Section 37 of the Petroleum Gas Regulatory Board Act (19 of 2006).
- (xvii) Section 53T of Competition (Amendment) Act (39 of 2007)
- (xviii) Section 31 of the Airports Economic Regulatory Authority of India Act (27 of 2008).

(c) Special Leave Petitions :-

The provision most resorted to is Article 136 providing for Special Leave to Appeal. In cases other than those in which leave has been granted by the High Court, leave may be granted by the Supreme Court in its discretion. The proceedings are popularly referred to as “SLP”.

(d) Reference:-

Income Tax Appellate Tribunal, through its President, can refer to Supreme Court under Section 257 of the Income Tax Act, 1961 any question of law regarding which there is conflict in the decisions of High Courts and it is expedient that a reference should be made to the Supreme Court.

III. ADVISORY JURISDICTION

- (i) If at any time it appears to the President of India that a question of law or fact of such public importance has arisen (or is likely to arise) and that it is expedient to obtain the opinion, he may refer the question to the Supreme Court for consideration (Article 143). The Court on receiving such a reference may, after hearing, as it thinks fit, report to the President its opinion thereon.
- (ii) The reference to the Supreme Court can also be made as in:-
 - a) Article 317, as regards removal of Chairman or any other Member of a Public Services Commission;
 - b) Section 11 of the Competition Act, 2002 as regards removal of a Member of the Commission; and
 - c) Removal of Chief Information Commissioner or Information Commissioner, State Chief Information Commissioner or State Information Commissioner as per Sections 14 and 17 of the Right to Information Act, 2005.

IV. POWER OF REVIEW

The Supreme Court, under Article 137, has the power to review any of its judgments or orders made by it. Review petitions are disposed of by circulation as per listing procedures.

V. CURATIVE PETITIONS

The Supreme Court can reconsider the final judgment/order on limited grounds on a curative petition, under its inherent powers, even after the dismissal of the review petition {in view of the decision in "Rupa Ashok Hurra v. Ashok Hurra & Anr. (2002) 2 SCR 1006}.

VI. IMPORTANT PROVISIONS OF CONSTITUTION OF INDIA, OTHER ACTS AND RULES RELATING TO SUPREME COURT.

The important provisions of Constitution and

other Acts and Rules relating to the Supreme Court of India are as under:-

- 1 Constitution of India Articles 124 to 147-the Union Judiciary.
- 2 Judges (Inquiry) Act, 1968 (51 of 1968);
- 3 Judges (Protection) Act, 1985 (59 of 1985);
- 4 Supreme Court (Enlargement of Criminal Appellate Jurisdiction) Act, 1970 (28 of 1970);
[Amended by Act No.37 of 1972];
- 5 Supreme Court (Number of Judges Act, 1956 (55 of 1956);
[Amended by Act Nos. 17 of 1960, 48 of 1977, 22 of 1986 and 11 of 2009];
- 6 Supreme Court Judges (Salaries and Conditions of service) Act, 1958 (41 of 1958);
[Amended by Act Nos. 77 of 1971, 36 of 1976, 57 of 1980, 36 of 1985, 38 of 1986, 20 of 1988, 32 of 1989, 72 of 1993, 2 of 1994, 20 of 1996, 18 of 1998, 7 of 1999, 8 of 2003, 46 of 2005 and 23 of 2009];

SUBORDINATE LEGISLATIONS

- 1 Judges Inquiry Rules , 1969;
- 2 Supreme Court Rules, 1966;
- 3 Supreme Court (Decrees and Orders) Enforcement Order, 1954;
- 4 Supreme Court Judges Rules, 1959;
- 5 Supreme Court Judges (Traveling Allowance) Rules, 1959;
- 6 Rules to Regulate proceedings for Contempt of the Supreme Court, 1975

VII. Public Interest Litigation

The general rule of locus standi for moving a Court is relaxed in matters of Public Interest, where the poor, ignorant or socially or economically disadvantaged people seek legal remedy. The Supreme Court thus exercises its powers to do justice in certain matters popularly known as public interest litigation (PIL). PIL petitions received by post are also entertained by the Court, and on many occasions even Suo Motu. A PIL section has been set up for dealing with the PIL petitions.

The details of PIL petitions received during the past are as follows:

Letters/Petitions and Writ Petitions (Civil & Criminal) Received/Filed under PIL in the Supreme Court of India

Year	Letter/ Petitions received in Hindi	Letters/Peti ons received in English & other regional languages	Writ Petition (Civil)	Writ Petition (Criminal)
1985	24716		105	2
1986	25419		286	10
1987	4892	13519	119	19
1988	5620	10651	71	25
1989	5964	11805	76	22
1990	5757	12214	92	26
1991	5280	12194	61	28
1992	5286	11675	62	16
1993	4989	10760	96	38
1994	5862	10604	83	20
1995	5658	9436	109	44
1996	8175	11005	185	36
1997	6747	8756	180	35
1998	5689	7398	160	17
1999	6472	8867	137	21
2000	7271	10493	161	22
2001	7421	9777	159	23
2002	6555	8963	186	13
2003	6205	8088	156	21
2004	7154	8499	171	22
2005	8111	6150	215	12
2006	8768	11072	226	17
2007	7229	10971	232	26(3) *
2008	10823	13843	193(1) *	33(1) *
#2009	6635	9326	120(1) *	25

Upto 30th September, 2009

* Figure in brackets shows the number of Writ Petitions registered suo-motu.



1. There are three categories of Advocates who are entitled to practice law before the Supreme Court.

SENIOR ADVOCATES

2. Order IV Rule 2 of the Supreme Court Rules, 1966, deals with the designation as Senior Advocates. Rule 2(a) provides that the Chief Justice and the Judges may, with the consent of the advocate, designate that advocate as Senior Advocate, if in their opinion, by virtue of his ability, standing at the Bar or special knowledge or experience in law the said advocate is deserving of such distinction.
3. Apart from the designation of Advocates as Senior Advocates, retired Hon'ble Chief Justices/Judges of the High Courts are also considered for designation as Senior Advocates in the Supreme Court.

ADVOCATES-ON-RECORD

4. Order IV Rule 5 of the Supreme Court Rules, 1966, deals with the registration as an Advocate-

on-Record. No Advocate other than an Advocate-on-Record shall be entitled to file an appearance or act for a party in the Court.

5. The Registry of the Supreme Court conducts Advocates-on-Record Examination periodically with the approval of the Examination Committee and under the supervision of Secretary, Board of Examiners, appointed by the Hon'ble the Chief Justice of India. The examination maintains high standards to ensure that best of the talents come in as Advocates-on Record. 371 candidates have submitted their applications for Advocates-on Record Examination, 2008, out of which 37 candidates have passed the said examination.

ADVOCATES

6. These are Advocates whose names are entered on the roll of any State Bar Council maintained under the Advocates Act, 1961. They cannot appear and plead in any matter on behalf of a party in the Supreme Court unless instructed by an Advocate on Record (Order IV Rule 10 of Supreme Court Rules, 1966).



Inner Courtyard of the Supreme Court



Court Administration

1. *T*he administrative wing of the Court is known as the REGISTRY.
2. Earlier, a Registrar used to be the senior-most Officer in the Registry, which office was upgraded to the level of Registrar-General (also called Court Administrator-cum-Registrar General). This functionary is now known as the Secretary General. The Secretary General is thus the highest Administrative Officer of the Supreme Court. The post of the Secretary General is exclusively meant for a judicial officer of the rank & status of District and Sessions Judge. 33 officers have held the office of Registrar of the Supreme Court. Since 1987, Eight Officers (excluding the present Secretary General) belonging to Higher Judicial Service of different States have adorned the post of Registrar-General.

The work of the Registry is handled by various branches, units whereof are called 'Section'. Transaction of all administrative works, including work relating to the conditions of service and conduct of Court servants, is made under direct and overall supervision of the Secretary General who works under the direction & immediate control of Hon'ble the Chief Justice of India. The Secretary General is assisted by 6 Registrars and 23 Additional Registrars who are assigned work of specific branches in which they, in turn, are assisted by Deputy Registrars, officers of other lower ranks and subordinate staff. There are 1924 posts on the establishment of the Supreme Court Registry, which include 1229 permanent posts. The break-up of sanctioned staff strength is 245 Gazetted Officers, 894 Non-Gazetted Officers and 785 Class III employees.

Secretary General



M.P. BHADRAN

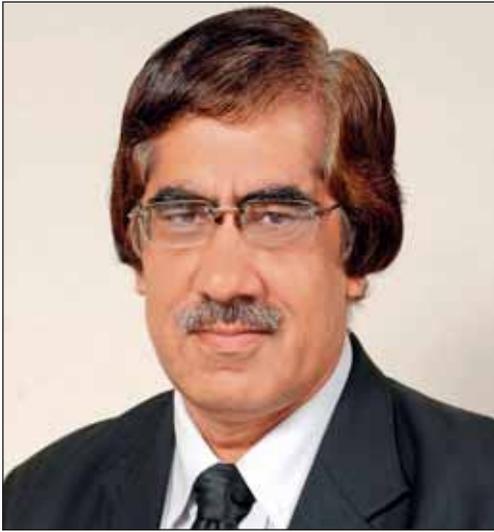
Registrars



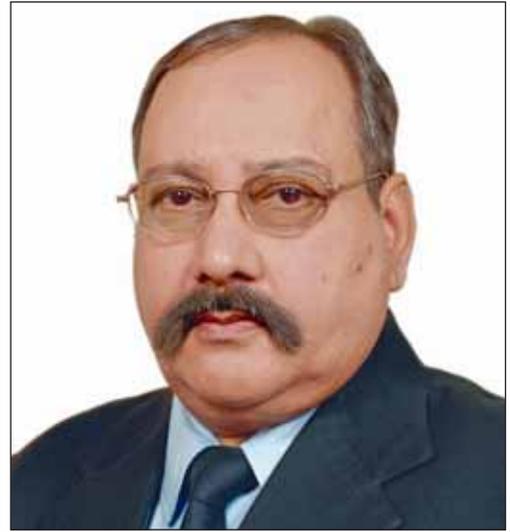
T.SIVADASAN
Registrar(Judl.I)



SUNIL THOMAS
Registrar(Admn.)



SUBHASH MALIK
Registrar(Judl.II)



ASHOK KUMAR
Registrar(Admn.J)



ASHOK MENON
Registrar(CC)



M.K. GUPTA
Registrar(Courts)

Consultant (Protocol)



R.C. GANDHI

Registrars General/Secretary General - Supreme Court of India

S.No	Name of the Officer	From	To
1.	Shri Sankatha Rai	01.06.1987	03.11.1992
2.	Shri MSA Siddiqui	09.11.1992	26.09.1994
3.	Shri Chandresh Bhushan	27.09.1994	27.04.1998
4.	Shri Bhanwar Singh	27.04.1998	26.03.1999
5.	Shri Lal Chand Bhadoo	27.03.1999	19.01.2003
6.	Shri J.C.S. Rawat	20.01.2003	28.06.2004
7.	Shri B.M. Gupta	29.06.2004	24.11.2005
8.	Shri V.K. Jain	01.12.2005	13.05.2009

Former Registrars - Supreme Court of India

S.No	Name	Period	
		From	To
1.	Shri P.N. Murthy	26.01.1950	04.01.1956
2.	Shri K.Krishnaswami Aiyar	05.01.1956	01.04.1956
3.	Shri Arindam Dutt	02.04.1956	14.06.1962
4.	Shri S.N. Sharma	01.07.1962	15.03.1964
5.	Shri Y.D. Desai	13.08.1963	19.04.1969
6.	Shri C.V. Rane	09.06.1969	19.10.1971
7.	Shri M.P. Saxena	20.10.1971	30.04.1979
8.	Shri S.K. Gupta	16.07.1973	01.01.1978
9.	Shri R.Narasimhan	16.01.1978	31.03.1984
10.	Shri R.Subba Rao	01.05.1979	31.03.1986
11.	Shri A.N. Oberai	01.04.1986	29.02.1988
12.	Shri H.S. Munjral	02.04.1987	31.08.1988
13.	Shri R.R. Kumar	01.09.1988	30.04.1993
14.	Ms. S.V. Kashyap	01.09.1988	30.11.1988
15.	Shri R.N. Joshi	01.12.1988	28.02.1989
16.	Shri Yoginder Lal	01.03.1989	30.06.1989
17.	Shri S. Vardarajan	01.07.1989	31.08.1989
18.	Shri Ved Prakash Sharma	16.12.1989	14.02.1995
19.	Shri Susanta Ghosh	01.02.1990	25.10.1996
20.	Shri P.N. Likhyan	15.02.1991	28.02.1994
21.	Shri L.C. Bhadoo	01.03.1993	26.02.1999
22.	Ms. Manju Goel	30.09.1994	31.03.1997
23.	Shri H.S. Kapoor	12.02.1997	30.11.2002
24.	Shri R.C. Gandhi	04.04.1997	31.07.2007
25.	Shri B.M. Gupta	05.04.1999	23.06.2004
26.	Shri Ashok I. Cheema	26.11.1999	01.04.2007
27.	Shri Suresh Chandra	18.12.2002	31.01.2004
28.	Shri J.K. Sharma	03.02.2004	31.07.2006
29.	Shri V.K. Jain	08.07.2004	30.11.2005
30.	Shri Hemant Sampat	08.12.2005	07.02.2007
31.	Shri B. Sudheendra Kumar	20.03.2006	01.09.2007
32.	Shri S.G. Shah	11.05.2006	30.04.2009
33.	Shri R.K. Gauba	11.05.2006	12.01.2007
34.	Shri T.N. Sansi	01.08.2006	30.06.2008



Activities On Judicial Side

1. *T*he backlog of cases had increased manifold by the year 2000. In this view, focus in recent times has been on taking of steps to bring down the pendency. The procedure has been streamlined and simplified, shedding the pedantic approach. Infructuous cases and also cases covered by the Judgments/Orders already passed by the Court were identified and listed before the Court for disposal. Apart therefrom, cases with cognate issues were listed together. Resultantly, the rate of disposal increased; logjam of cases decreased. The Court Management was evolved keeping in view the goal setting, statistical analysis, causes of delay and case-flow management. A variety of general techniques for the improvement of Court efficiency, including Court's supervision and control of the movement of cases from institution till final disposal were also adopted. This exercise was relentlessly pursued and had impact in reducing arrears substantially.
2. There has been enormous increase in the institution of fresh cases (surpassing the figure of disposal) during the period under report. Total number of matters instituted in the year 2008 was 70,352 as against 69,103 in the year 2007 and 39,419 in 2001. 56,233 cases have already been instituted till 30th September, 2009. This has resulted in the marginal increase in the pendency of cases each year since 2001. The pendency of both Admission and Regular matters as on 30.09.2009 is 53,221.
3. Various measures are being taken to check the increase in the pendency of cases and to reduce the arrears, as detailed below:-
 1. **Filing, Registration & Listing**
 4. For processing the cases, the Registry of the Supreme Court is divided into Sections which are fully computerised. Institution of cases takes place at the Filing Counter. The work in the Filing Section has been streamlined to avoid duplicity of work and to expedite scrutiny and registration of fresh matters filed. As per the new system effective from 04.05.2009 the counsel can now leave the Filing Counter after submitting the matter and getting the Diary number. Scrutiny of the file is done thereafter as per the modified 21 point check list. Upon a case filed being found in order (as per rules) or removal of defects (if any found as per 21 point modified check list) registration is done through computer. The listing is through computer application strictly in chronological order within a fortnight of the registration, before the Bench of Hon'ble Judges dealing with the particular subject category. An evening counter has been opened in the Filing Branch to accept fresh matters filed from 5 p.m. to 8 p.m. from Mondays to Fridays.
 5. The List of Business is categorised in two parts; Part I containing "admission" matters and Part II "regular hearing" matters. The computer classifies the cases, allocates them to appropriate Benches and generates the lists, such as Terminal List, Weekly List, Advance

List, Daily Cause List (Final Cause List) and Supplementary List. For admission matters, Advance Lists for Mondays and Fridays are generated and issued two weeks before the actual dates of hearing while Supplementary Lists are issued on preceding Saturdays and Thursdays respectively. On Mondays, approximately 67 admission matters and 5 final disposal matters are listed for hearing before each Division Bench while, on Fridays, approximately 50 admission matters, excluding final disposal matters (subject to the ceiling of 10 matters) are listed. Further, from 28th April, 2009 it has been decided that no matter will be deleted from any list, unless directed, in writing, by the Hon'ble presiding Judge and approved by the Chief Justice of India.

6. The work relating to grouping of matters and classification of cases (to come up for hearing before the Court) is done by Section I-B ensuring that the cases/matters involving common/identical question(s) of law are posted before the appropriate Bench.
7. Three days of each week (Tuesday, Wednesday & Thursday) are earmarked for hearing regular matters. For this, Terminal List for the year is generated through computer before the reopening of the Court after the summer vacation. Weekly List of regular hearing matters is generated from the Terminal List, followed by the Daily List for Tuesday (issued on preceding Friday/Saturday) and Supplementary List (issued on preceding Monday). Daily Lists are issued on Tuesday and Wednesday for the cases listed for the following days.

II. Old and Urgent Matters

8. With a view to expedite disposal, particularly of old cases, Hon'ble Chief Justice of India constituted Benches of Supreme Court for hearing urgent matters as well as old regular matters during summer vacation from 18th May, 2009 to 3rd July, 2009. 574 urgent matters were heard by the Vacation Benches. Out of them, 213 matters were disposed of. 377 old regular matters were listed before the Vacation Benches. Of them 70 matters were disposed of.

III. Recent Steps for Expediting Hearing & Disposal

9. A number of initiatives have been taken in recent past to expedite decision making process and thereby reduce arrears. The steps taken include those mentioned hereafter.
10. Earlier, 10 or more matters involving identical issue were treated as group matter. With a view to identify more group matters and to list them for early hearing & disposal, under directions of Hon'ble the Chief Justice of India vide order dated 13.12.2007, five or more matters on identical issue are now treated as a group matter. This has helped in achieving significant increase in the number of disposals by listing more group matters for hearing before the Benches specially assigned by the Hon'ble the Chief Justice of India.
11. In compliance with the direction of the Full Court dated 06.02.2008, in addition to the matters being listed on Mondays, five more Final Disposal matters are being listed before each Bench with effect from 25.02.2008.
12. In order to streamline and to make effective the listing of cases before various Benches, certain directions have been issued. These include the following:-
 - (i) With a view to easily identify and locate the Office Report on limitation (where the filing is beyond prescribed period), the Office Report on limitation shall be produced along with the paper books and in cases where there is delay, the office report on limitation shall be on green paper and if there is no delay in filing the matter, the office report on limitation shall be prepared on white paper.
 - (ii) The cases in which parties are appearing 'in person', are listed as the last item of the matters shown under the respective heading of the cause list;
 - (iii) Considering the acute shortage of space in the paper book godown, whenever a petition for direction, order or writ is filed, only three sets of paper books of such petition and affidavit need be filed instead of seven sets as provided in rule 7 of Order XXXV of the Supreme Court Rules, 1966. Additional copies of paper books (in

- required number) have to be got prepared by the concerned Section with the assistance of the counsel concerned whenever any such matter is referred to a Constitution Bench;
- (iv) Requests received by hand, post or E-mail seeking early listing of the case or for deletion of the matter from the list or for postponement of date etc., are not to be entertained and the applicant is required to move prayer as per the rules, practice and procedure of the Court;
 - (v) A miscellaneous matter, released from part-heard (but not possible to be listed before a senior Hon'ble Judge due to reasons such as retirement etc.) is to be listed before the second or third Hon'ble Judge holding the coram (in that order, depending on availability). If no Hon'ble Judge bearing the coram in the matter is available the same is to be listed as per subject category;
 - (vi) Similarly, part-heard 'regular hearing' matters (which could not be heard or taken up by the presiding Judge prior to retirement) shall be listed before the next senior-most Hon'ble Judge who was the member of the Bench which had heard the matter in part, if such Hon'ble Judge is presiding the Bench. The same procedure will be followed on retirement of the two senior-most Hon'ble Judges in a regular matter partly heard by a three-Judges Bench. If no such Hon'ble Judge is available then the matter will be listed as per subject-category. These directions apply mutatis mutandis to specially directed / adjourned 'regular hearing' matters;
 - (vii) Group matters, both on miscellaneous side and regular side, will be given top priority and listed below part-heard matters, so that maximum cases are heard and decided by a common order. In the matter of listing, the larger group precedes smaller group;
 - (viii) Old regular hearing cases up to year 2003 are to be listed before the specified Courts below the part-heard matters, group matters and three-Judges Bench matters.
13. For "oral mentioning", the Advocates are now required to fill-up and sign the Listing Proforma and the Appearance Slip showing therein the name of the Advocate who wants to mention the matter. This is to be handed over to the Court Master latest by 10:15 a.m. The Court Masters are required to be present in the Court Room at 10:00 a.m. and seek directions in cases of doubt as to correctness of the information furnished in the Listing Proforma or the genuineness of the signature in the Proforma or the Appearance Slip. The time limit for moving application for mentioning in a pending/disposed of matter is now extended up to 2 p.m. from the earlier time limit of 1 p.m.

IV. Other Steps

14. The other steps designed to combat the huge arrears and improve functioning of the court process include the following:-
 - (i) A large number of matters have been taken up for final disposal instead of the usual course of granting leave and hearing in due course.
 - (ii) Constitution Bench & larger Bench sit regularly to decide important questions of law, particularly in a large number of matters involving common issues.
 - (iii) Number of matters listed before each Bench on Miscellaneous Days has been increased (upto 72).
 - (iv) All the fresh matters are listed within 10 to 14 days of registration and many disposed of at the preliminary hearing.
 - (v) In order to ensure uniformity and consistency in the matter of admission of Tax matters which normally involve huge revenue implication, one Bench is assigned to exclusively deal with admission of such matters. Similarly two Benches have been constituted for the regular hearing of all tax matters.
 - (vi) Cases under certain categories such as Matrimonial Matters, Corruption cases, Matters of Senior Citizens, Undertrial Prisoners, Workmen who are out of Job and Old Cases, including the cases in which litigation in the lowest forum started long ago but the matter reached

this Court only recently are being heard on priority basis.

- (vii) In addition to Regular Court hearings, four Judges have been nominated to hear Miscellaneous applications including Bail Applications in Chambers and each Judge holds chamber sitting once in a week preferably after completing the sitting on miscellaneous days.
 - (viii) As many as eight Division Benches now deal with service matters and labour matters on admission side and four Division Benches on regular side.
 - (ix) Seven Division Benches now deal with criminal matters on admission side and five Division Benches on regular side.
15. The steps taken have paid dividends (See Table below). In spite of the fact that there was decrease in the Judge-strength, there has been considerable increase in the disposal of cases. The total disposal of cases in the year 2001 was 38,842 cases, whereas the disposal of cases in the year 2008 was 67,459, cumulative increase being as much as 73.67% (approximately) in a period of 7 years. In 2009, 52,831 cases have been disposed of till 30th September, 2009.
16. Five Lok Adalats have been conducted in the Supreme Court during the period. Out of 390 cases listed, 171 cases were settled.

V. Registrars' Courts

17. Two Courts of Registrars have been functional, one since 3rd April, 2006 and the other from 1st September, 2006. These courts deal with matters referred to in Rule 1 Order VI of the Supreme Court Rules, 1966 as amended vide Notification No. G.S.R. 127(E) dated 22.2.2006. Presently, each such Court takes up 150 incomplete (after notice) matters daily.
18. These Courts also deal with procedural aspects in respect of matters in which after the issuance of the notice, steps have to be taken for completion of service or if the pleadings are incomplete. In addition, they also deal with the mentioning of urgent matters with regard to the cancellation of the date noted for listing. When once a regular hearing matter becomes ready for hearing, before inclusion of such matter in the Terminal list, the same is listed before Registrar's Court for pre-final hearing, to verify and ensure that in all respects, the matter is ready for inclusion in the Terminal List.
19. All the Lists of matters – Terminal List, Weekly List, Advance List, Final Cause List, Supplementary List – are uploaded on the Court Website to enable the Advocates or parties to have access to those Lists.
20. A software has been developed for the Copying Branch which indicates the status of the application made by an Advocate or a party. All orders/ Judgments/ documents are supplied to the applicants within 2-3 days of receipt of application.

Statement of Institution Disposal & Pendency of Cases in the Supreme Court of India from the Year 1950 to 30.09.2009

Year	Institution		Total	Disposal		Total	Pendency		Total
	Admission	Regular		Admission	Regular		Admission	Regular	
1950	1,037	178	1,215	491	34	525	546	144	690
1951	1,324	600	1,924	1,560	227	1,787	310	517	827
1952	1,127	330	1,457	1,145	527	1,672	292	320	612
1953	1,354	360	1,714	1,163	252	1,415	483	428	911
1954	1,743	410	2,153	1,522	427	1,949	704	411	1,115
1955	1,580	512	2,092	1,669	200	1,869	615	723	1,338
1956	1,732	630	2,362	1,720	258	1,978	627	1,095	1,722
1957	1,490	999	2,489	1,517	411	1,928	600	1,683	2,283
1958	1,698	784	2,482	1,694	623	2,317	604	1,844	2,448
1959	1,870	783	2,653	1,829	682	2,511	645	1,945	2,590
1960	1,971	1,276	3,247	1,910	1,271	3,181	706	1,950	2,656
1961	2,000	1,214	3,214	1,899	1,654	3,553	807	1,510	2,317
1962	2,214	1,345	3,559	2,291	1,542	3,833	730	1,313	2,043
1963	2,189	1,561	3,750	2,152	1,131	3,283	767	1,743	2,510
1964	2,544	1,520	4,064	2,463	1,605	4,068	848	1,658	2,506
1965	2,366	1,535	3,901	2,444	1,341	3,785	770	1,852	2,622
1966	2,639	3,012	5,651	2,429	1,412	3,841	980	3,452	4,432
1967	2,826	2,493	5,319	2,515	1,566	4,081	1,291	4,379	5,670
1968	3,489	3,317	6,806	3,138	3,032	6,170	1,642	4,664	6,306
1969	4,185	3,512	7,697	3,731	2,737	6,468	2,096	5,439	7,535
1970	4,273	3,203	7,476	3,779	2,569	6,348	2,590	6,073	8,663
1971	5,338	2,641	7,979	4,588	1,903	6,491	3,340	6,811	10,151
1972	4,853	4,223	9,076	5,053	1,769	6,822	3,140	9,265	12,405
1973	6,298	3,876	10,174	6,112	2,063	8,175	3,326	11,078	14,404
1974	5,423	2,780	8,203	5,103	3,158	8,261	3,646	10,700	14,346
1975	6,192	3,336	9,528	5,749	2,978	8,727	4,089	11,058	15,147
1976	5,549	2,705	8,254	4,904	2,830	7,734	4,734	10,933	15,667
1977	9,251	5,250	14,501	8,714	1,681	10,395	5,271	14,502	19,773
1978	13,723	7,117	20,840	10,624	6,471	17,095	8,370	15,148	23,518
1979	16,088	4,666	20,754	11,988	3,845	15,833	12,470	15,969	28,439
1980	21,749	4,616	26,365	14,520	2,433	16,953	19,699	18,152	37,851
1981	24,474	6,566	31,040	16,528	2,162	18,690	27,645	22,556	50,201
1982	29,706	13,804	43,510	26,593	2,519	29,112	30,758	33,841	64,599
1983	37,602	18,300	55,902	35,745	10,079	45,824	32,615	42,062	74,677
1984	37,799	11,275	49,074	28,813	6,734	35,547	41,601	46,603	88,204
1985	36,243	15,349	51,592	36,004	15,074	51,078	41,840	46,878	88,718
1986	22,334	5,547	27,881	17,881	12,819	30,700	46,293	39,606	85,899
1987	22,234	5,806	28,040	15,476	6,331	21,807	53,051	39,081	92,132
1988	21,950	5,771	27,721	15,714	4,181	19,895	59,287	40,671	99,958
1989	21,213	6,256	27,469	17,389	4,011	21,400	63,111	42,916	1,06,027
1990	22,265	6,223	28,488	20,890	4,348	25,238	64,486	44,791	1,09,027
1991	26,283	6,218	32,501	28,679	6,662	35,341	62,090	44,347	1,06,437
1992	20,435	6,251	26,686	20,234	15,613	35,847	62,291	34,985	97,476 *
1993	18,778	2,870	21,648	17,166	3,718	20,884	37,549	21,245	**
							(98,240)		58,794 **
1994	29,271	12,775	42,046	35,853	12,037	47,890	30,967	21,983	52,950

Year	Institution		Total	Disposal		Total	Pendency		Total
	Admission	Regular		Admission	Regular		Admission	Regular	
1995	35,689	15,754	51,443	51,547	16,790	68,337	15,109	20,947	36,056
1996	26,778	6,628	33,406	35,227	10,989	46,216	6,660	16,586	23,246
1997	27,771	4,584	32,355	29,130	7,439	36,569	5,301	13,731	19,032
1998	32,769	3,790	36,559	31,054	4,179	35,233	7,016	13,342	20,358
1999	30,795	3,888	34,683	30,847	3,860	34,707	6,964	13,370	20,334
2000	32,604	4,507	37,111	30,980	4,320	35,300	8,588	13,557	22,145
2001	32,954	6,465	39,419	32,686	6,156	38,842	8,856	13,866	22,722
2002	37,781	6,271	44,052	36,903	5,536	42,439	9,734	14,601	24,335
2003	42,823	7,571	50,394	41,074	6,905	47,979	11,483	15,267	26,750
2004	51,362	7,569	58,931	47,850	7,680	55,530	14,995	15,156	30,151
2005	45,342	5,198	50,540	41,794	4,416	46,210	18,543	15,938	34,481
2006* * *	55,402	6,437	61,839	51,584	4,956	56,540	22,361	17,419	39,780
2007	62,281	6,822	69,103	56,682	5,275	61,957	27,960	18,966	46,926
2008	63,346	7,006	70,352	61,219	6,240	67,459	30,087	19,732	49,819
Jan.,09	3,421	594	4,015	2,957	278	3,235	30,551	20,048	50,599
Feb.,09	6,358	615	6,973	6,019	1,243	7,262	30,890	19,420	50,310
Mar.,09	5,072	654	5,726	5,128	745	5,873	30,834	19,329	50,163
Apr.,09	5,743	822	6,565	5,649	931	6,580	30,928	19,220	50,148
May 09	5,586	859	6,445	5,151	783	5,934	31,363	19,296	50,659
June 09	2,695	107	2,802	841	28	869	33,217	19,375	52,592
July 09	8,574	1,139	9,713	9,305	694	9,999	32,486	19,820	52,306
Aug. 09	6,723	736	7,459	6772	504	7,276	32,437	20,052	52,489
Sep. 09	5,842	693	6,535	5,404	399	5,803	32,875	20,346	53,221

* The pendency figures shown upto the year 1992 indicates the number of matters after expanded hyphenated number on files.

** From 1993 onwards the figure of pendency of matters are actual file-wise, i.e., without expanding hyphenated number on files.

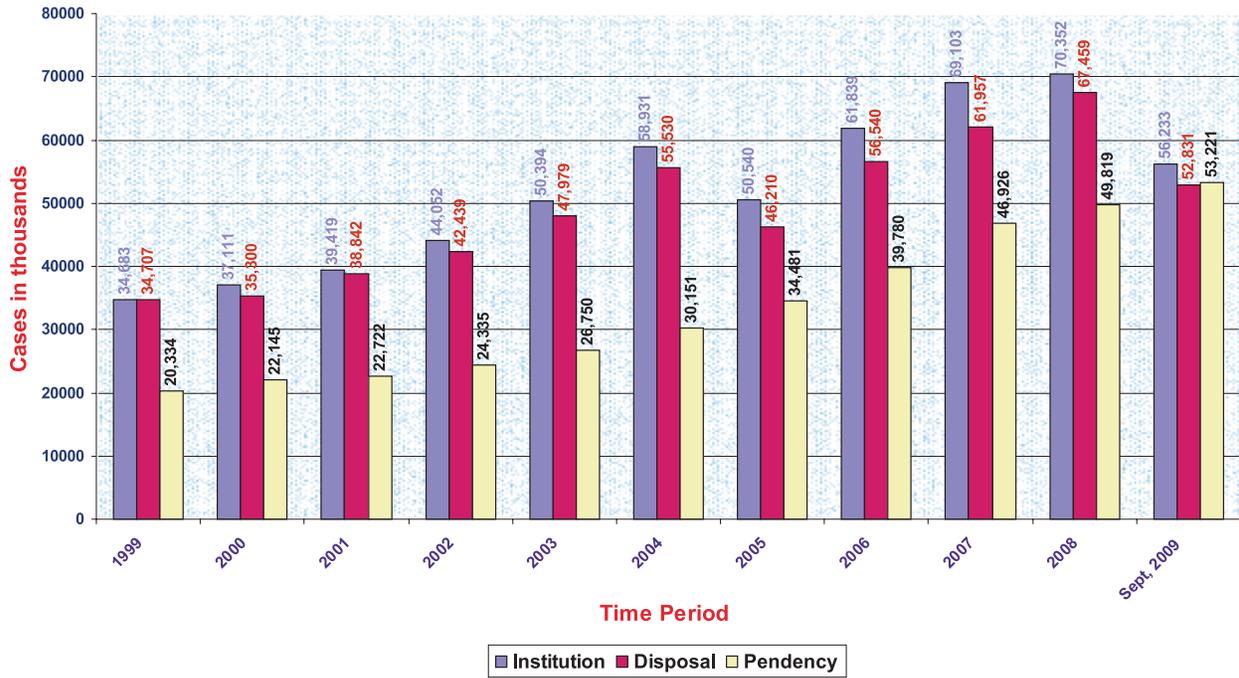
*** The Inadvertent mistakes in the figures in the earlier reports have been corrected.

SUPREME COURT OF INDIA

INSTITUTION, DISPOSAL & PENDENCY

From Year 1999 to September, 2009

(Total of Admission and Regular matters)

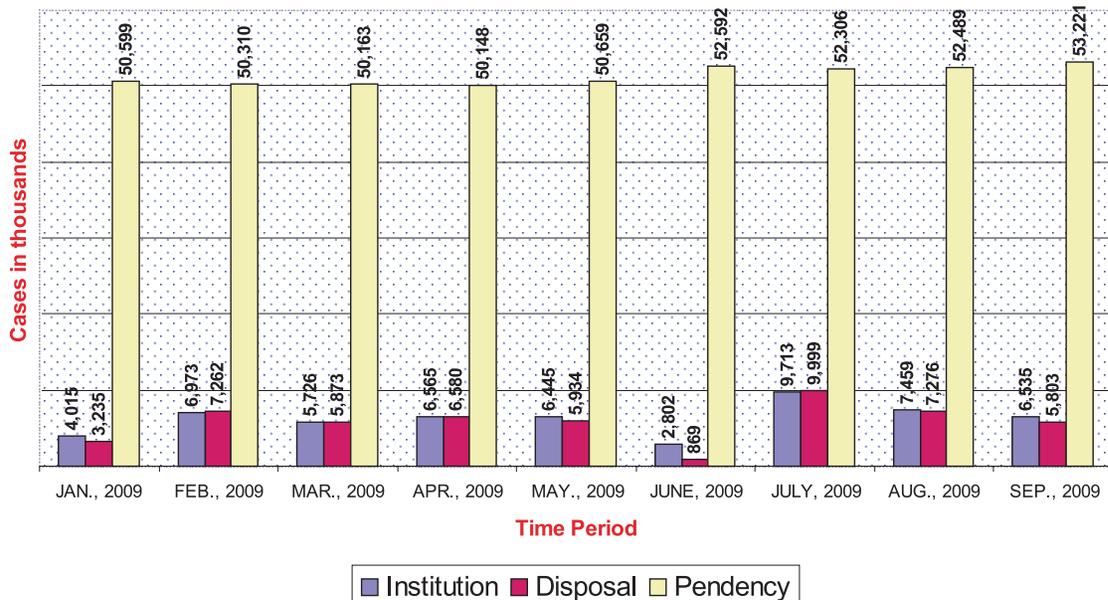


SUPREME COURT OF INDIA

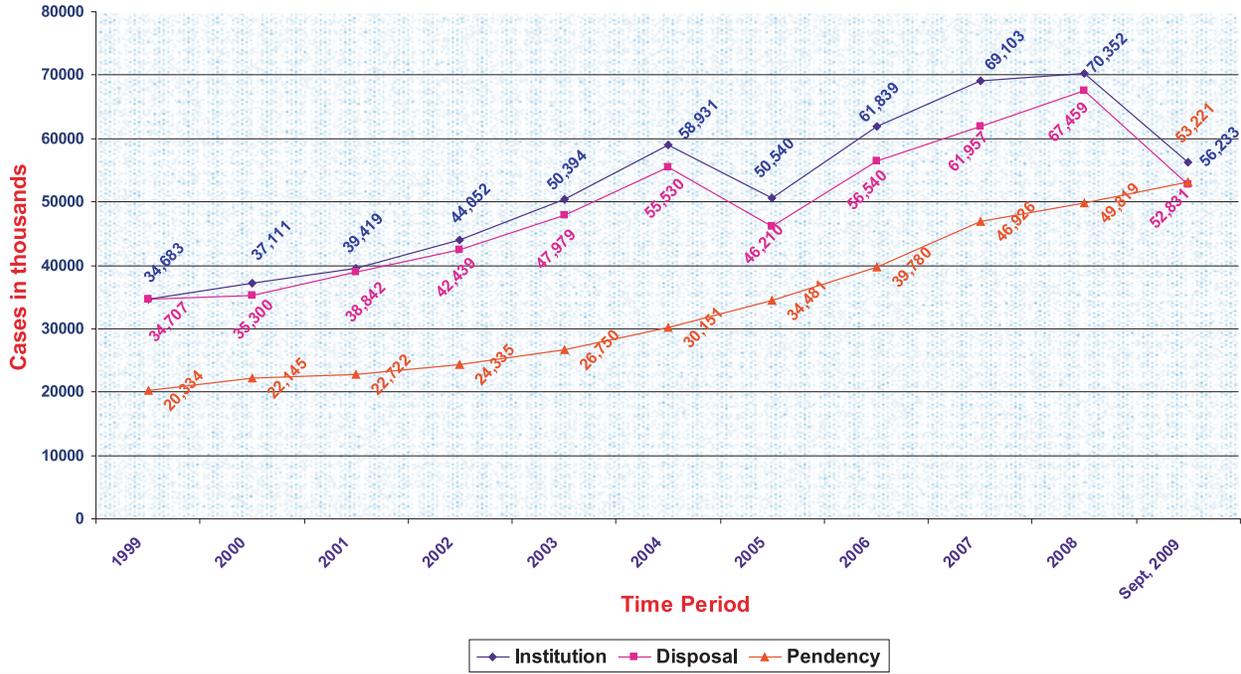
INSTITUTION, DISPOSAL & PENDENCY

From JAN., 2009 to September, 2009

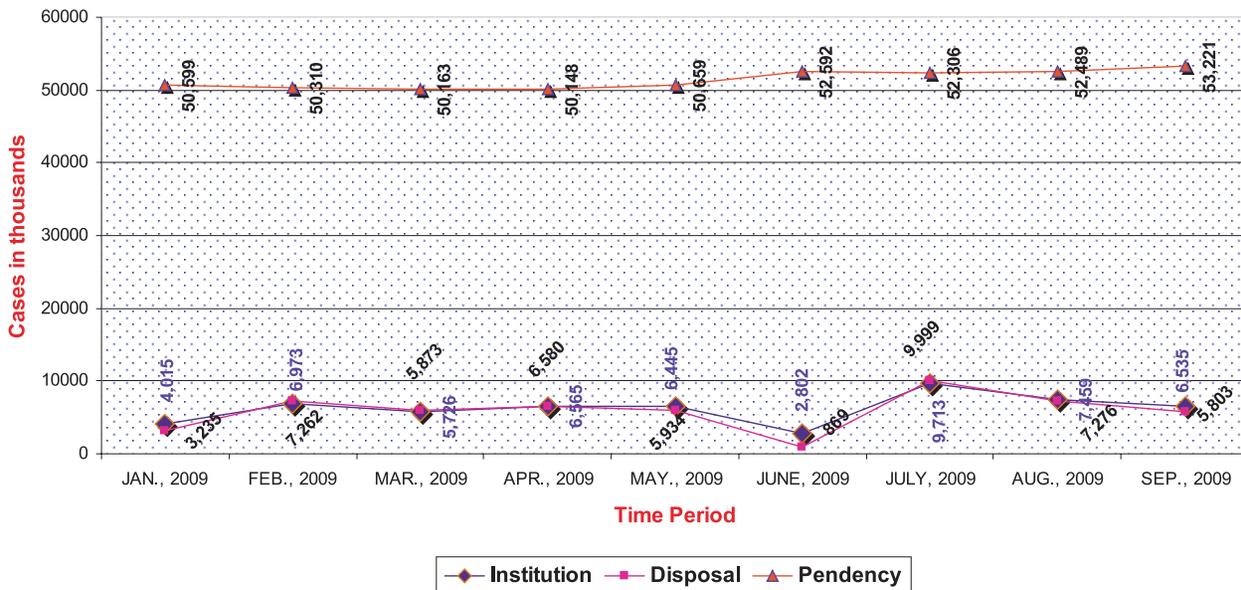
(Total of Admission and Regular matters)



SUPREME COURT OF INDIA
INSTITUTION, DISPOSAL & PENDENCY
 From Year 1999 to September, 2009
 (Total of Admission and Regular matters)



SUPREME COURT OF INDIA
INSTITUTION, DISPOSAL & PENDENCY
 From JAN., 2009 to September, 2009
 (Total of Admission and Regular matters)



Arrears Committee

The Arrears Committee was constituted by the then Hon'ble Chief Justice of India by Order dated 20.12.2005 with Hon'ble Mr. Justice S.B. Sinha (as His Lordship then was) as the Chairperson. The Committee was constituted for the following purposes :

1. To identify the cases which can be transferred from regular Magisterial Courts to the Court of Special Metropolitan Magistrates/Special Judicial Magistrates.
2. To identify the pending cases in High Courts which need to be heard and disposed of on priority basis.
3. To identify the old cases pending in subordinate courts, which can be assigned to the courts earmarked only for such cases.
4. To identify the work which can be delegated to the Registry of the High Courts and subordinate courts.
5. To assess the number of Magisterial Courts required in each State to deal with the complaints under Section 138 of Negotiable Instruments Act.
6. To identify the pending cases in High Courts which can be dealt with by ad-hoc Judges appointed under Article 224A of the Constitution.

The other members of the Committee are Hon'ble Mr. Justice Madan B. Lokur (Judge, Delhi High Court), Shri Goolam E. Vahanvati (presently Attorney General), Hon'ble Mr. Justice P.K. Balasubramanyan (Chairman, E-Committee), Prof.(Dr.) Mohan Gopal (Director, National Judicial Academy), Hon'ble Mr. Justice P.K. Bahri (retired) and Hon'ble Mr. Justice V.S. Agarwal (retired). Registrar(Admn.), Supreme

Court of India is its Member Secretary.

The Committee has been collecting data relating to various categories of cases in the courts throughout the country with a view to evolve a system of court management. It submitted a preliminary report for consideration of the conference of Chief Justices held in 2007. The Committee has prepared a "White Paper" dated 4th August, 2009 compiling various conclusions arrived at by the Committee, on the analysis of several data collected by it from various sources and suggesting the broad ways and means of tackling the problem of arrears and backlog of pending cases. The salient points made therein are as under :-

a) Firefighting

Eventhough, the Committee collected data relating to pendency of cases in various courts in India and the category of pending cases in an attempt to analytically approach the problem of mounting arrears in the Court, due to the complex and sometimes inaccurate data made available by the High Courts, it was not possible to carry out any presentable analysis. However, the exercise undertaken by the Committee has brought about awareness in the High Courts to maintain regular and accurate data of the pending cases. The Committee recommended that a standard method of maintaining data pertaining to all pending cases should be encouraged and each High Court should ensure that the data is updated every six months.

b) Causes of delay

On a broad perspective, it can be said that disposal of cases gets delayed partly due to

external reasons and partly due to internal reasons.

External reasons for delay : Some of the identified external causes of delay are; lack of adequate infrastructure in the Courts at all levels; required strength of judges needs to be reviewed on a scientific basis from time to time; lack of availability of adequate funds to manage the court system; lack of qualified and trained staff etc.

Internal causes of delay : Some of the internal causes of delay are; absence of adequate planning-including structural planning; the inability of the court staff to adapt to computerization and use of modern technology; absence of any planning and management techniques for handling the courts and cases; lack of motivation to try out ADR systems etc.

c) Mediation and judicial reforms

The Committee strongly recommended mediation as an alternate method of dispute resolution. Mediation has had a salutary impact in disposal of cases, particularly in Delhi, and if it is given the necessary thrust and encouragement, it can bring about the necessary reforms needed for quick disposal of cases.

d) Mega Lok Adalats

A majority of cases pending in Magistrate Courts are petty cases including traffic challan cases. One of the major steps taken by the Arrears Committee was to organize a Mega Lok Adalat in Delhi on 8th and 9th September, 2007 to settle petty cases mainly traffic challan cases in consultation with the police authorities and Delhi Legal Services Authority.

A total number of 43,202 cases, including those under the Weights and Measures Act were disposed of, and a fine of Rs.63,33,535/- was collected. The number of cases settled under the Weights and Measures Act were 1,008. Even though the number of cases disposed under the Weights and Measures Act were not very high, but it was still 50% of the total pendency of such cases.

The success of the Mega Lok Adalat proved that it was possible to organize Mega Lok Adalats successfully and get a huge response. It can be extended to other areas

like forest offences, Section 138 Negotiable Instruments Act offences, various labour and industrial offences etc. which permit compounding. The Hon'ble Chairman has requested all the Chief Justices to follow the practice of Mega Lok Adalat, conducted in Delhi, and to extend it to other areas.

The Committee felt that to a large extent the pendency at the trial court level can be contained by conducting Mega Lok Adalats in respect of specific category of petty cases.

It was also found that another field of litigation which choked the functioning of the judiciary at magisterial level was the cases under Section 138 of the Negotiable Instruments Act. It was found that as on 1.1.2008, the total number of Section 138 cases in India was 22,07,273; the institution from 1.1.2008 to 31.12.2008 was 13,73,575; disposal during the above period was 9,49,449 and the pendency as on 31.12.2008 was 26,31,399. The above indicates not only the staggering number of cases pending under Section 138 of the Negotiable Instruments Act alone, but also the fact that in an year there is an increase of about 4 lakhs of cases in the above category alone. Proposal to tackle this could not fructify since a computer software could not be prepared.

e) Reforms concerning traffic offences

The Arrears Committee had discussions with the Commissioner of Police, Delhi and other senior police officials and suggested that while issuing a traffic challan, the offender should be given necessary information about where to pay the fine, how to pay it etc. The Delhi Traffic Police accepted the recommendations of the Committee and as of today, all traffic challans contain information that can assist the offender to settle the challan. In addition, the Delhi Police also made efforts to increase the number of locations where the compounding fee can be received, such as through banks, ATM machines, money order forms etc.

The Committee recommended that in all cases of petty offences, the offender/accused should be given necessary information to enable to take an informed decision in respect of the allegation, in a manner similar to that adopted by the Delhi Police.

f) Withdrawal of cases

The Committee felt that wherever possible, the High Courts should carry out an exercise for identifying petty cases which are found to be pending for long, and no fruitful purpose would be served by prosecuting them. After identification, necessary steps can be taken by the prosecution to withdraw these cases. The following categories of cases may be considered for withdrawal :

- a) Where the State has spent more amount than the fine that may be levied on the accused and the matter has not been disposed of for long.
- b) In spite of best efforts the State could not serve notice on the accused for more than a period of two years and no laches can be attributed to the State for the delay.
- c) Where the offence is of a trivial nature, which does not involve any injury to another person and/or loss to the public revenue and the matter has been pending for two or more years since the appearance of the accused and the delay is not attributable to any laches on the part of the accused or the State, and also not due to any stay granted by any other competent court. However, matters which are already on board or ready to be listed for trial shall not be withdrawn.

g) Filling up of vacancies

The State should take timely action for filling up the vacancies of judicial officers after adopting transparent and proper selection process. Filing up of the vacancies, as part of the administrative function of the High Court, is a sine qua non for controlling the vacancy position in the subordinate judiciary.

h) Fast track courts

Even though the constitution of fast track courts at the District Judges level has been found to be useful and has helped in reducing the pendency of cases at the middle level, corresponding action has not been taken at the lower level. It is essential that fast track courts are constituted at the Magistrate's level so that the pendency of arrears at the lowest level can be contained which will have its impact in the pendency at the appellate Courts also.

i) Evening courts

It has been found that it is possible to utilize the available infrastructure, without waiting for further availability of infrastructure is to have evening courts or shift system in the available courts. In Delhi, the evening courts have been a success with over eleven thousand (11,000) cases having been disposed of. The Committee recommended that the experiment of evening courts or shift courts should be tried out in all States by the High Courts in consultation with the Bar.

j) Court Management, Case Management and Case flow Management

The Committee felt that it is necessary to improve judicial efficiency and court management at different levels. Necessary training can be imparted at the level of National Judicial Academy, State Judicial Academy through video conferencing, distant education through IGNOU and National Judicial Academy, providing communication training to officers at both levels and special training in relation to specialized areas like plea-bargaining, gender justice and juvenile justice etc. The Committee recommends that court management on a scientific basis (with case management and case flow management) is absolutely essential for making any progress in the matter of reduction of the huge backlog of cases.

k) Study on MACT case flow

A study on the case flow of motor accident cases in Delhi was undertaken by the Arrears Committee as a pilot project. A sum of Rs.3.5 lakhs was granted by General Insurers Public Sector Association of India for conducting the above study. 48 students of the Campus Law Centre, University of Delhi were associated in the above study. They studied 11,226 MACT cases files in Delhi, collected the data, fed in the computer and conducted an analytical study. It was intended to identify the causes for delay in disposing MACT cases, to enable the judiciary to devise a case flow management system which will eventually aid in the speedy disposal of motor accident cases. The study revealed several interesting and valuable information which are vital for evolving methods for containing the arrears. The conclusions arrived at in the study relating to motor accident cases can be summarized as follows :-

Issues pertaining to motor accident cases

- Problem : Delay in service of notice – approx. 234 days average
- Solution : Nominated counsel should be attached to each court for receiving advance copy.
- Strict compliance with section 158(6) of the Motor vehicles Act
- Problem : Delay in completion of pleadings- approx. 5 months on an average.
- Solution : Instructions must be given to the insurance companies' lawyers on time.
- All documents must be filed by the insurance companies along with the reply.
- Problem : Delay in leading evidence (approx. 4 months) and delay in completing evidence.
- Solution : Procedure of filing affidavit by way of evidence should be introduced.
- Witnesses should be readily available for recording evidence.
- Problem : Execution of the award takes an unduly long time (approx. 455 days) and for interim award (approx. 120 days).
- Solution : There should be no delay in executing the award. On the contrary, the admitted amount

should be deposited at the first hearing to save interest.

- Ultimately, it is the small claimant who suffers the most due to the delays.

Tackling future MACT cases

- Insistence on compliance with Section 158(6) of the Motor Vehicles Act.
- Delhi Police has recently launched a website www.dpaccclaim.in. This can be replicated in other parts of the country.

The Committee recommended that the High Courts should undertake necessary procedural reforms in the Rules of Practice so as to make the process of dispensing justice more meaningful.

The Committee further recommended that similar research projects can be initiated for several other categories of cases including Rent Control cases, labour matters etc. to identify the bottlenecks in the adjudication process and to provide remedial measures.

After the demitting of office by Hon'ble Mr. Justice S.B. Sinha, Hon'ble the Chief Justice of India has nominated Hon'ble Mr. Justice P. Sathasivam as the Chairperson of the Committee.



Inauguration of Mediation Centre by Hon'ble the Chief Justice of India

Conferences & Meets

During the period under report, Hon'ble the Chief Justice of India and Hon'ble Judges hosted in India or attended abroad various Conferences & Meets. Meetings of various Legal Forums and visits of various foreign delegations to the Supreme Court were significant events. These visits or fora offered a venue for interaction between the legal luminaries of varied jurisdictions, and exchange of ideas.

1. LEGAL FORUM MEETS

INDO-ISRAEL LEGAL FORUM MEET:

Hon'ble Shri K.G. Balakrishnan, Chief Justice of India, Hon'ble Mr. Justice Lokeshwar Singh Panta (since retired), Hon'ble Mr. Justice A.P. Shah, Chief Justice, Delhi High Court, Shri G.E. Vahanvati, the then Solicitor General of India (Now Attorney General for India) and Dr. Abhishek M. Singhvi, Senior Advocate participated in the First Indo-Israel Legal Forum Meet held at Jerusalem (Israel) from 26th December, 2008 to 31st December, 2008. The topics discussed during the Meet were : (a) Supreme Court and Human Rights (b) Judicial Review – Problems and Perspective and (c) Beating



Indian delegation which visited Jerusalem to attend the First Indo-Israel Legal Forum Meet.

the Backlog – Managing huge litigation from Indian side and (i) The Role of Supreme Court in Democracy (ii) Women's Equality in Israel : The Judicial Landscape (iii) Broadening the Scope of Judicial Review in Israel : Between Activism and Restraint (iv) Human Rights in Israel and (v) The Protection of Human Rights in Times of Terror from Israeli side.

INDO-AUSTRALIAN LEGAL FORUM MEET:

Hon'ble Shri K.G. Balakrishnan, Chief Justice of India and few other Hon'ble Judges of the Supreme Court and Mr. Gopal Subramaniam, the then Additional Solicitor General of India (Now Solicitor General of India) participated in the Second Indo-Australian Legal Forum Meet held at Canberra & Sydney (Australia) during June, 2009. The topics discussed during the Meet were : (a) Federalism in the Supreme Court of India and the High Court of Australia and (b) Codification and the Common Law of evidence in India and Australia.

INDO-BRAZIL-SOUTH AFRICA DIALOGUE FORUM :

The first Conference of the Indo-Brazil-South Africa Dialogue Forum held in Supreme Court of India on 21st September, 2009 to discuss Legal Systems of the India and Brazil and to identify areas of mutual cooperation. The Brazilian delegation was headed by Hon'ble Mr. Justice Ricardo Lewandowski, Senior Judge of the Federal Supreme Court of Brazil. Ms. Susan Kleebank, Chief Advisor of International Affairs, Federal Supreme Court of Brazil was the other member of the delegation. The Conference was attended by Dr. Yara Lewandowski, wife of Hon'ble Mr. Justice Ricardo Lewandowski, Mr. Marco Antonio Diniz Brandao, Ambassador of Brazil in India, Ms. Adriana Rizzotto, Judge, Federal Regional Court of the State of Rio de Janeiro, Mr. Jose Carlos Da Fonseca Junior, DCM, Embassy of Brazil in India, Dr. Eduardo Grebler, President of ILA,

Prof. Paulo Casella, Federal University of Sao Paulo, Prof. Susana Vieira, ILA Brazil and Ms. Marcela Pompeu Sogocio, First Secretary, Embassy of Brazil in India also as observers.

The Protocol of Intent on juridical cooperation between the Supreme Courts of Brazil, Russia, India and China was signed by Hon'ble the Chief Justice of India on this occasion.

2. OTHER INTERNATIONAL CONFERENCES

Hon'ble Shri K.G. Balakrishnan, Chief Justice of India visited:

1. Singapore to deliver the Annual Lecture for the year 2008 at Singapore Academy of Law, Singapore from 5th to 11th October, 2008.
2. (a) Chicago, Illinois, U.S.A. to deliver lecture on "Role of foreign court precedents in the legal system of the country" on 28th October, 2008 at the Northwestern University School of Law, Chicago, Illinois, U.S.A., (b) London (U.K.) to (i) deliver Key-note speech at the Conference on "Judicial Reforms in India" held in London on 31st October, 2008 and (ii) to attend inaugural function of V.K. Krishna Menon Foundation at London on 1st November, 2008.
3. Jerusalem (Israel) as Head of the Indian Delegation to participate in the First Indo-Israel Legal Forum Meet from 26th December, 2008 to 31st December, 2008.
4. (a) Cairo (Egypt) to participate in the 40th Anniversary of the Foundation of the

Constitutional Judicature in Egypt at Cairo (b) Minsk (Belarus) to attend the "Meet for Exchange of Justice and Law Enforcement Practices with regard to Economic Disputes" at Minsk (Belarus) from 6th March to 15th March, 2009.

5. Athens, Georgia (USA) as Head of the Delegation to (a) participate in and deliver Inaugural Address at the International Round Table Conference from 3rd April to 6th April, 2009, (b) deliver a lecture on "Supreme Court of India as a Constitutional and Human Rights Court" at the University of Georgia and (c) have a meeting with the Director of American Law Institute at the headquarters of the Institute in Philadelphia, Pennsylvania on 7th April, 2009.
6. Canberra and Sydney (Australia) as Head of the Delegation to participate in the 2nd Meet of Indo-Australian Legal Forum from 2nd June to 5th June, 2009.
7. London to deliver Inaugural Address at the "International Conference of Jurists for Judicial Reform" organized jointly by the Honourable Society of Lincoln's Inn and the International Council of Jurists at London from 13th June to 15th June, 2009.
8. Sydney (Australia) as Head of the Delegation to participate in the Australian Agency for International Development (AusAID) funded "Protecting Rights and Promoting Access to Justice" project held between 18-27 September, 2009.



Hon'ble Chief Justice of India with the delegation of India-Australia judicial programme, at Sydney in September, 2009

Hon'ble Dr. Justice Arijit Pasayat (since retired) visited:

9. (i) Naples (Italy) to attend a seminar on "Indian Federalism and the Role of Supreme Court" on 29th and 30th October, 2008 organized by the Seconda Universita degli Studi di Napoli (ii) London (U.K.) (a) to attend a meeting of the Indo-EU Business Forum on "Judicial Reforms in India" and (b) to attend the inaugural function of V.K. Krishna Menon Foundation in London on 1st November, 2008.
10. (a) Cologne (Germany) to attend the Seminar on "Federalism in India and Germany" from 7th to 10th March, 2009 and (b) Rome (Italy) to attend a Seminar on "Environmental Law" from 11th to 12th March, 2009.
11. Athens, Georgia (USA) as part of the Delegation to (a) participate in the International Round Table Conference from 3rd April to 6th April, 2009 and (b) to attend a meeting with the Director of American Law Institute at the headquarters of the Institute in Philadelphia, Pennsylvania on 7th April, 2009.

Hon'ble Mr. Justice S.B. Sinha (since retired) visited:

12. Canberra and Sydney (Australia) as part of the Delegation to participate in the 2nd Meet of Indo-Australian Legal Forum from 2nd June to 5th June, 2009.

Hon'ble Mr. Justice S.H. Kapadia visited:

13. Canberra and Sydney (Australia) as part of the Delegation to participate in the 2nd Meet of Indo-Australian Legal Forum from 2nd June to 5th June, 2009.

Hon'ble Mr. Justice Tarun Chatterjee visited:

14. London to attend the "International Conference of Jurists for Judicial Reform" organized jointly by the Honourable Society of Lincoln's Inn and the International Council of Jurists at London from 13th June to 15th June, 2009.

Hon'ble Mr. Justice Altamas Kabir visited:

15. Mauritius to participate in the 4-day Legal Conference on "Enhancing the Justice System under the Rule of Law" organized by the Judiciary of Mauritius in collaboration with the honorable Society of the Middle Temple and the Commonwealth

Judicial Educational Institute (CJEI) held from 22nd to 25th September, 2009.

Hon'ble Mr. Justice R.V. Raveendran visited:

16. Sydney (Australia) as part of the Delegation to participate in the Australian Agency for International Development (AusAID) funded "Protecting Rights and Promoting Access to Justice" project held between 18-27 September, 2009.

Hon'ble Mr. Justice Dalveer Bhandari visited:

17. Washington DC to attend the 5th International Judges Conference on Intellectual Property Law organized by the Intellectual Property Owners Education Foundation held at Washington D.C. from 19th April to 21st April, 2009.

Hon'ble Mr. Justice Lokeshwar Singh Panta (since retired) visited:

18. Jerusalem (Israel) as part of the Delegation to participate in the First Indo-Israel Legal Forum Meet from 26th December, 2008 to 31st December, 2008.

Hon'ble Mr. Justice Markandey Katju visited:

19. Cape Town (South Africa) to attend the 8th World Conference organized by the International Association of Refugee Law Judges (IARIJ) at Cape Town from 28th to 30th January, 2009.
20. Providenciales, the Turks and Caicos Islands (U.K.) to attend a Conference of the Commonwealth Magistrates' and Judges' Association as one of the Key Note Speakers on the topic "The Promotion and Protection of Judicial Independence" held from 26th September to 3rd October, 2009.

Hon'ble Mr. Justice V.S. Sirpurkar visited:

21. London to attend the "International Conference of Jurists for Judicial Reform" organized jointly by the Honourable Society of Lincoln's Inn and the International Council of Jurists at London from 13th June to 15th June, 2009.

Hon'ble Mr. Justice P. Sathasivam visited:

22. Singapore to attend and chair a session on "Third LAWASIA Children and the Law Conference" organized by Law Society of Singapore & LAWASIA from 21st May to 23rd May, 2009.

Hon'ble Mr. Justice Aftab Alam visited:

23. Utrecht (Netherlands) to address a Conference jointly organized by the Humanist Institute for Cooperation with Developing Countries, the Cosmopolis Institute of the University for Humanistic Studies in Netherlands, the Centre for the Study of Culture and Society in Bangalore, etc. from 25th May to 26th May, 2009.

Hon'ble Dr. Justice Mukundakam Sharma visited:

24. Washington D.C. to attend the 5th International Judges Conference on Intellectual Property Law organized by the Intellectual Property Owners Education Foundation from 19th April to 21st April, 2009 and delivered a speech in the Conference on the topic "Developing Judicial Issue".
25. Chengdu (China) to attend the "2009 International Conference on Judicial Protection of IPR in China" organized by the Supreme People's Court of the People's Republic of China from 9th to 11th September, 2009 and spoke in two open sessions : 1) Judicial System and IPR Protection and 2) Copyright Issues and Protection on Internet.

Hon'ble Mr. Justice R.M. Lodha visited:

26. London to attend the "International Conference of Jurists for Judicial Reform" organized jointly by the Honourable Society of Lincoln's Inn and the International Council of Jurists at London from 13th June to 15th June, 2009.

3 Vists of Foreign Delegations

- 1) A five-member Kazakhstan Delegation headed by Hon'ble Mr. Kairat Mami, Chairman, Supreme Court, Kazakhstan visited Supreme Court of India on 15th October, 2008 and had a meeting with Hon'ble the Chief Justice of India, Hon'ble Mr. Justice B.N. Agrawal and Hon'ble Dr. Justice Arijit Pasayat.
- 2) Hon'ble Mr. Justice Tore Schei, Chief Justice, Supreme Court of Norway visited Supreme Court of India on 4th November, 2008 and had a meeting with Hon'ble the

Chief Justice of India, Hon'ble Mr. Justice B.N. Agrawal and Hon'ble Dr. Justice Arijit Pasayat.

- 3) A two-member Belarusian Delegation headed by Hon'ble Mr. Justice Pyotr P. Miklashevich, Chairman, Constitutional Court of Belarus visited Supreme Court of India on 14th November, 2008 and had a meeting with Hon'ble the Chief Justice of India, Hon'ble Mr. Justice B.N. Agrawal and Hon'ble Dr. Justice Arijit Pasayat.
- 4) A six-member Bhutan Delegation headed by Mr. Dasho Rinzin Penjor, Attorney General of Bhutan visited Supreme Court of India on 18th December, 2008 and had a meeting with Hon'ble the Chief Justice of India.
- 5) A delegation from Brazil led by Hon'ble Mr. Justice Antonio Herman Benjamin, Judge, High Court of Brazil had a meeting with the Hon'ble Chief Justice of India on 5th January, 2009.
- 6) A delegation from Nepal led by Shri Ramlal Bishwokarma, Chairman, National Dalit Commission, Government of Nepal had a meeting with Hon'ble Chief Justice of India on 14th January, 2009.
- 7) A delegation from Egypt led by Mr. Adel Zaki Andrews, Chairman, High Election Commission of Egypt had a meeting with Hon'ble Chief Justice of India on 21st January, 2009.
- 8) A U.S. Congressional Delegation led by Dr. Martin Luther King III had a meeting with Hon'ble Chief Justice of India on 16th February, 2009.
- 9) A delegation from United Republic of Tanzania led by Hon'ble Mr. Justice Augustino S.L. Ramadhani, Chief Justice had a meeting with Hon'ble Chief Justice of India, Hon'ble Mr. Justice B.N. Agrawal, Hon'ble Dr. Justice Arijit Pasayat and Hon'ble Mr. Justice P.K. Balasubramanyan, Chairman, E-Committee on 19th February, 2009.
- 10) A delegation led by Mr. Richard Pena, President, American Bar Foundation had a meeting with Hon'ble Chief Justice of India on 4th March, 2009.



Chief Justices' Conference

The Chief Justices' Conference is convened normally every year by Hon'ble the Chief Justice of India at the Supreme Court of India, New Delhi, wherein all the Chief Justices of the High Courts participate. The last Chief Justices' Conference was held on 14th and 15th August, 2009 to devise ways and means to expedite disposal of cases and to streamline and improve the Justice Delivery System. Resolutions pertaining to reduction/elimination of arrears and speedy trial of cases within a reasonable period, augmenting the infrastructure of Subordinate Courts, modernization and computerization of Justice Delivery System, strengthening of A.D.R. system, strengthening legal aid systems, Increase in the strength of Judges of the High Courts and Subordinate Courts etc. were adopted.

JOINT CONFERENCE OF THE CHIEF MINISTERS OF STATES AND CHIEF JUSTICES OF THE HIGH COURTS

The Joint Conference was held at Vigyan Bhawan, New Delhi on 16th August, 2009. The Conference was inaugurated by the Hon'ble Prime Minister. Decisions were taken on operationalization of Gram Nyayalayas, progress made in development of the infrastructure of Subordinate Courts, steps to be taken to reduce the arrears and ensure speedy trial of cases, filling-up of vacancies in the High Courts and Subordinate Courts, strengthening of Legal Aid System, strengthening of A.D.R. system including Mediation and Conciliation and progress made in setting-up of permanent mechanism for implementation of earlier decisions etc.

SPEECH OF HON'BLE THE CHIEF JUSTICE OF INDIA AT THE JOINT CONFERENCE

This annual conference is a vital opportunity for all of us to take stock of the changes that are taking

place in the judicial system. More importantly it is a meeting ground for all us to air our views and arrive at a consensus on how to tackle the multiple challenges faced by our justice-delivery system.

In our routine deliberations as well as in the public discourse, there is a consistent emphasis on the arrears of cases pending before the courts at various levels. For instance as per figures available for June 30, 2009 – there were a total of 52,592 (Fifty Two Thousand Five Hundred and Ninety Two) cases pending before the Supreme Court, an aggregate of 40,17,956 (Forty Lakh Seventeen Thousand Nine Hundred and Fifty Six) cases pending before the High Courts and 2,71,19,092 (Two Crore Seventy One Lakhs Nineteen Thousand and Ninety-Two) cases pending before all the subordinate courts put together¹. In spite of these daunting numbers, it is important for us to concentrate our attention on devising solutions rather than dwelling on the extent of the problems.

In recent times, I have repeatedly urged the need for expanding our judicial system by ensuring the expeditious filling up of vacancies as well as the sanctioning of more positions for judicial officers. There has undoubtedly been a chronic shortage of judicial officers, especially at the subordinate level and there are also some structural obstacles which discourage talented law graduates from joining the judicial services. In 1987, the 124th Report of the Law Commission had indicated that our judicial system needed to be expanded by at least five times in order to meet the 'judge to population' ratio of developed nations. That is of course a very ambitious target which may take years to attain, but we must take gradual and firm steps in that direction.

It has been heartening to note that a considerable number of vacancies at the subordinate level have

¹ Pendency figures cited from *Court News*, April-June 2009 and material supplied by Supreme Court Registry

been filled in recent months. As per figures available for June 30, 2009 – there were 2,783 (Two Thousand Seven Hundred and Eighty Three) vacancies out of 16,946 (Sixteen Thousand Nine Hundred and Forty Six) sanctioned posts. There is, of course, a compelling need for the respective State Public Service Commissions and the various High Courts to work in close coordination for filling up the remaining vacancies. In this respect, I urge all the State Governments to ensure that all of the sanctioned positions are filled up in a time-bound manner.

The Union Government has also been very responsive to our demands for the establishment of more CBI Courts and Family Courts – with some concrete steps being taken in that direction. However, I would like to briefly draw your attention to the proposed Gram Nyayalayas scheme which would bring about a substantial change to the reach and quality of our justice-delivery system.

The Gram Nyayalayas Act which was passed by the Parliament in December 2008 - envisages the creation of courts at the level of Intermediate Panchayats or a group of contiguous Gram Panchayats. These village-level courts would be manned by judicial officers of a rank equivalent to a Civil Judge (Jr. Dv.) or a Judicial Magistrate First Class (JMFC) and they will be known as 'Nyaya-Adhikaris'. It has been estimated that nearly 3,000 judicial officers will be needed in order to implement this scheme. There is tremendous potential in the Gram Nyayalayas scheme since the intention is to reduce the costs borne by litigants in approaching courts located at district-centres. The underlying philosophy is of course to bring justice to the doorsteps of rural citizens. However, we must deliberate upon some of the practical concerns, namely the financial commitments needed for the establishment of the Gram Nyayalayas as well as the service-conditions of the judicial officers. It is important to create sufficient incentives for practicing lawyers who are talented and motivated to take up these positions².

The higher pendency figures do not necessarily mean that the Courts are becoming more accessible to all sections of society. Some academic studies also seem to confirm the thesis that the increasing caseload does not necessarily bear a correlation to improvements in access to justice for under-privileged and disadvantaged sections. In other words even as we dwell on the size of 'court-dockets', there is a very real danger that many

segments of our citizenry are being increasingly alienated from our judicial system. It is in this sense that our main worry should not be confined to the size of the case-load before the courts. Instead, our collective efforts should be directed towards devising and streamlining measures for ensuring that most of our citizens should have the ability as well as the incentive to take their disputes to the judicial system.

Another worrying factor is the increasing disparity between the volume of civil and criminal cases pending before our subordinate courts. For instance, as per the figures available for June 30, 2009 – there were approximately 1.94 crore criminal cases pending as opposed to approximately 76 Lakh civil cases. There could be several explanations for this disparity. One possible reason is that more criminal cases are being filed since the Parliament has passed legislations in recent years which have created effective criminal remedies for disputes arising out of dishonour of cheques, cruelty in marriage and numerous offences under special legislations. It is quite reasonable to assume that stronger criminal remedies encourage more parties to move the criminal law machinery, which translates into more criminal cases being filed before the Courts. However, there seems to be an opposite trend in the civil justice system. One could very well argue that there is a comparatively lesser number of civil cases being filed since parties are wary of the undue delay and complications associated with civil litigation. This aspect deserves a lot of attention since the problems of the civil justice system are not given the same kind of media attention that is reserved for sensational criminal cases.

While expanding the size of the judicial system is an important objective, I must also highlight the importance of pursuing several other strategies to streamline the administration of justice. All of you are conversant with the benefits of resorting to Alternative Dispute Resolution (ADR) methods, especially since civil judges are now empowered to refer disputes for resolution through Permanent Lok Adalats, Mediation and Negotiated settlements. Most of the High Courts and numerous District Courts have established 'Mediation' centres for the twin purpose of resolving disputes as well as training judicial officers and lawyers in these methods. For many categories of cases filed before the courts – such as those relating to traffic offences and petty property disputes, methods such as conciliation and negotiation are far more appropriate than the traditional model of adversarial

² The Central Government is bearing the non-recurring expenditure of Rs. 18.00 lakhs per Nyayalaya, i.e., Rs. 912 crores; 50% of recurring expenditure Rs. 6.40 lakhs per Gram Nyayalaya, i.e., Rs. 486 crores (i.e. Rs. 1398 crores i.e. Rs. 1400 crores)



Hon'ble the Chief Justice of India, Hon'ble Mr. Justice B.N. Agrawal and Hon'ble Mr. Justice S.H. Kapadia with the Chief Justices of States.

litigation. While the Legal Services Authorities have been increasingly organising Lok Adalats for many categories of disputes, it is also important to inform the general public about the utility of these methods. On account of incomplete information about the various options, an aggrieved party often chooses to proceed with lengthy-adversarial litigation instead of choosing more conciliatory methods. Even the Code of Criminal Procedure was amended in 2006 to include provisions for 'plea-bargaining' but public awareness about the same is quite limited.

It goes without saying that all of us need to think about and promote solutions that need not always be 'Court-centric'. However, there is also another worrying factor that demands our attention on a 'war-footing'. It is evident that more and more parties are approaching the Courts with the passage of time and the same is reflected in the fact that the rate of institution of newer proceedings has consistently outpaced the rate of disposal of cases.

In spite of all these structural problems, there have been some decisive changes for the better. Of particular note, is the implementation of the E-Courts project under which thousands of judicial officers have been equipped with computer facilities. Information Technology (IT) tools are being progressively used in the administration of justice – especially for purposes such as notification of cause-lists as well as the publication of orders and judgments on court websites. Efforts are underway to devise comprehensive programmes which will help advocates, litigants and the general public to track the progress of ongoing cases. The National Judicial Academy (NJA) at Bhopal regularly organises programmes for judicial officers where they are imparted training in case-management techniques as well as knowledge about emerging areas of legal practice and policy-changes. Special emphasis is placed on how a judge should be

sensitive to the needs of litigants belonging to disadvantaged sections and must account for complications linked to social barriers such as those of caste, gender, class and religion among others. Most of the states have also established their own State Judicial Academies (SJAs) which have intensified the training programmes for sitting judicial officers.

There are of course many other issues which call for our careful attention and deliberation in today's programme. I hope that all of us can address the problems faced by our justice-delivery system in an environment of mutual understanding and cooperation.

SPEECH OF THE PRIME MINISTER OF INDIA AT THE JOINT CONFERENCE

"I am very happy to be with you at this very important joint conference of Chief Ministers and Chief Justices. This is an extremely valuable institutional forum for fruitful interaction between two vital wheels of the chariot of good governance - the Executive and the Judiciary. The enormous and often non quantifiable benefits of such meaningful dialogue in such exchanges cannot be overemphasized. Institutional interactions like this create a deeper understanding of each other's perspective, enhance trust and impart the necessary direction and momentum for processes of good governance.

The Indian legal and judicial system, in one sense, reflects a certain contradiction. India, the world's largest democracy and home to the second largest pool of lawyers, has legislatures elected by the world's largest electorate. It has the world's longest and most comprehensive Constitution, a fiercely free press and institutional bulwarks of freedom like the Election Commission of India and the Comptroller and Auditor General of India. Its judiciary is dynamic and completely independent

and we take pride in this. Despite its unelected character, the people's faith has been reposed in the judicial organ in a very large measure. The legal system is manned by legal luminaries second to none in the world. Amazingly innovative legal doctrines and precepts have been the gift of the Indian legal system to the world. The "basic structure doctrine" and "public interest litigation" are but two examples. Judicial review has breached unprecedented frontiers. Yet, amidst such strengths, brilliance and dynamism, India has to suffer the scourge of the world's largest backlog of cases and timelines which generate surprise globally and concern at home. The expeditious elimination of this scourge is the biggest challenge for such conferences and should constitute the highest priority for all of us.

The mammoth number of pending cases cannot be allowed to disillusion or dishearten us. It has to spur us to even higher peaks of achievement and bring out the best from every stakeholder, acting in coordination to progressively overcome this great challenge. In this war, a holistic and multipronged approach is vital. There is no space for piecemeal, patchy or sectoral responses. However, grand mega plans must be tempered and accompanied by common sense, nitty gritty solutions. Adapting Thomas Hardy's admonition - if we take care of the small things, the big things will take care of themselves - we have to combine and harmonise both the big and the small. In this war on arrears, the entire legal system and each rung of it has to function as a seamless web and an indivisible whole. Naturally, the apex court has to discharge a vital role. It has to be a catalyst, an organiser, a mentor, an umpire, a participant, and, above all, a role model, all at the same time. I can assure this august gathering with all the emphasis at my command that my Government will not be found wanting at any level in this joint effort. We promise to match each step of the judiciary with two of our own. We will not hesitate to walk the extra mile at every opportunity.

The procedural, substantive, or attitudinal reforms which must be continuously and collectively applied to achieve results are diverse in nature. Meritorious individuals should be appointed timely to judicial posts, which have been enhanced at the High Court level by 150 in the last few years. The existing vacancies in High Courts are quite high in number and need to be filled up urgently. I would urge the Chief Justices of High Courts to initiate proposals for quickly filling up these posts. Vacancies at the

subordinate level roughly comprise, I have been told, 20% to 25% of subordinate judicial posts. I am told that almost 3000 posts of judges in the country are vacant because of delay in recruitment. All these vacant posts at the subordinate levels need to be filled up without any further loss of time. The State Judicial Academies need to be strengthened for building capacities of judicial officers. Comprehensive computerisation and ultimate linking of all courts in the country into one mega judicial information grid needs to be tailored and adapted to enable screening of all pending cases. Such screening would facilitate disposal of many old cases as moot or infructuous. Despite the recent increases in judicial strength, there is scope for significant future increase in court strength to improve India's low judge per million population ratio. This is subject, of course, to expeditious filling of existing vacancies. The mechanisms and processes for providing legal aid to the marginalised sections of the society need to be improved.

Consensual Dispute Resolution – whether by way of arbitration or diverse forms of mediation – is an effective bypass to litigation, with significant preventive and curative virtues. The Civil Procedure Code now offers an empowering menu of alternative dispute resolution (ADR) choices. I am happy to note that court annexed mediation centres are now being created at different levels. But they remain still a drop in the ocean. The plea bargaining provided for by the law since 2005 has not been fully utilised till now. There is a need to give it wider publicity to reduce the pendency of cases and the number of under-trials in the country.

The Honourable President of India in her address to the Joint Session of Parliament in June 2009 has directed that a roadmap for judicial reforms be outlined in the next six months and implemented in a time-bound manner. I am happy that the Ministry of Law and Justice is working on such a road map. Shri Moily has also informed me that consultations on the reform initiatives have started with the various stakeholders. A National Consultation with jurists and stakeholders will be held in New Delhi very shortly. This will throw up the broad contours and set the stage for reform. But a lot of work will still have to be done for crafting a detailed blueprint and ensuring its implementation thereafter.

At the last Conference, I had mentioned that we had introduced the Gram Nyayalays Bill in Parliament. Though the legislation has since been enacted in January this year, it is yet to be enforced. I would

urge that the state governments initiate immediate action to operationalize the Gram Nyayalayas Act in their States. Once the Act is fully implemented, we will have more than 5000 courts at the intermediate panchayat level. These will bring justice to the doorstep of the common people, who currently feel that getting justice in India is not only time-consuming and costly but sometimes also an intractable proposition. The Central Government has committed assistance to States for setting up the Gram Nyayalayas. While there could be differing views on the adequacy of the assistance being provided, this should not hold us from speedily bringing the Act into force.

I am very happy to inform you that the Government of India, on the advice of the Chief Justice of India, has agreed to establish 71 additional CBI Courts in different states. Fast Track Courts should conduct their business differently and faster than normal courts; only then we shall be able to tackle the pendency in cases.

A matter of concern, indeed, worry, is the large number of under-trials in our jails. Many such under-trials have been in jail for periods longer than they would have served had they been sentenced. This is indeed very disturbing. There have been pronouncements of the High Courts and the Supreme Court on this issue but still the number of under-trials in jails continues to be very large. I sincerely hope this Conference will devote some time to this issue.

Let me conclude by suggesting to this august gathering that we take a vow to ensure that the enormous global respect for the Indian judiciary for its path-breaking doctrines and consistent independence be soon matched by similar accolades for an arrear free judicial institution. Like Gandhiji's common man, the focus of the judicial system should be to wipe every tear of every waiting litigant. I hope your deliberations will be centred on the single most important stakeholder in this system- the consumer of justice. Unless we meet his or her legitimate demands and expectations in letter and spirit, we cannot rest in peace.

I congratulate the Chief Justice of India and my colleague, Shri Moily ji for having taken the initiative to organize this very important conference. Great importance is attached to your deliberations. Let me end by wishing you a very successful conference and all the very best in your endeavours."

Chief Justices' Conference – 2009 RESOLUTIONS

- 1] Progress on implementation of the Resolutions passed in the previous Chief Justices' Conference held on 17th and 18th April, 2008.

RESOLVED

That

- a] Action Taken Reports furnished by the High Courts and the Department of Justice, Ministry of Law and Justice, Government of India, are perused.
- b] Wherever required, the Chief Justices will take up the matter at the highest level of the State Governments for providing adequate funds for the implementation of the Resolutions.

- 2] Steps required to be taken for reduction/elimination of arrears and ensure speedy trial within a reasonable period.

RESOLVED

That

- a] The High Courts will make scientific and rational analysis as regards accumulation of arrears and devise a roadmap for itself and jurisdictional courts to arrest arrears of cases taking into account average institution, pendency and disposal of cases and to ensure speedy trial within a reasonable period of time.

- b] The following Resolutions passed in the Chief Justices' Conference, 2008, are reiterated:

[i] The High Courts will make efforts to set-up at least one Family Court in each district, besides additional Family Courts, wherever required.

[ii] The High Courts will make efforts to set-up additional Courts of Special Judges, exclusively for trial of corruption cases investigated by Central Bureau of Investigation under Prevention of Corruption Act."

- 3] Augmenting the infrastructure of subordinate courts.

RESOLVED

That

- a] The High Courts shall take assistance of an expert in accounts for the purpose of preparation of the Scheme and total

expenditure required therefor and thereafter submit a proposal to the State Governments.

b] The Chief Justices will also take into consideration "the National Judicial Infrastructure Plan", with such modifications as may be required, while taking up the cause with the State Governments.

c] The Chief Justices of the High Courts shall take up the matter with the State Governments on the aspect of supply of electricity to subordinate courts during working hours and to impress upon the State Governments to ensure that no power cuts be allowed during courts working hours and generator sets, as back-up supply for electricity, be installed in the court complexes, especially in rural areas having acute power shortage. In order to ascertain the areas in the States facing acute power shortage, the Chief Justices of the High Courts will submit a proposal to the State Governments after receiving a report in that regard from the Judge in-charge of the district concerned.

d] The matter be also taken up at the Joint Conference of Chief Ministers and Chief Justices to be held on August 16, 2009.

4] Progress made in setting up and functioning of evening/morning courts in subordinate courts.

RESOLVED

That

The Chief Justices of the States, where morning/evening courts in subordinate courts have not so far been set-up, will take up the matter with their respective State Governments to implement the Resolutions passed in the Chief Justices' Conferences in the years 2007 and 2008, and such courts be set-up at the earliest, wherever found feasible, to deal with cases involving petty offences, including traffic, municipal offences and cases arising out of Section 138 of the Negotiable Instruments Act, 1881.

5] Strengthening of vigilance cells in the High Courts and progress made in setting-up of vigilance cells in each district.

RESOLVED

That

a] The Vigilance Cells will be under the direct control of the Chief Justices of the High Courts.

b] All complaints, in the first instance, will be placed before the Chief Justice of the High Court, who will refer the same to the Vigilance Officer of that Court. The Vigilance Officer, upon inquiry, will submit a report to the Chief Justice in that regard. In case an inquiry is to be proceeded with for the purpose of imposing minor/major penalty, the complaint will be referred to a Committee of Hon'ble Judges, to be nominated by the Chief Justice of the High Court, which may also include the Hon'ble Judge, in-charge of the place where the delinquent officer is discharging his functions. The cases relating to major penalties only, such as compulsory retirement, dismissal or removal, be placed before the Full Court of the High Court. Complaints and inquiries be disposed of as early as possible, but not later than one year.

6] Progress made in setting-up of Fast Track Courts of Magistrates and Fast Track Civil Courts.

7] Establishment of Gram Nyayalayas.

RESOLVED

That

a] The matter regarding continuation of Fast Track Courts of Sessions beyond 31st March, 2010, be taken up with the Central Government.

b] The Chief Justices of the High Courts may constitute a committee of Judges to assess the number of Gram Nyayalayas and places where they are required to be located for the purpose of Gram Nyayalayas in the first instance.

c] For the purpose of setting up of Gram Nyayalayas at the grass root level in rural areas, the Central Government be impressed not to insist upon matching grant to be allocated by the State Governments and the matter in this regard be taken up at the Joint Conference of Chief Ministers and Chief Justices to be held on August 16, 2009.

8] Progress made in modernization and computerization of justice delivery system, establishment of E-courts and video conferencing facilities.

RESOLVED

That

- a) The Chief Justice of India be requested to nominate a Committee to consider the present status and progress made in modernization and computerization of courts and to submit recommendations.
 - b) The note submitted by Hon'ble Mr. Justice P.K. Balasubramanyan, Chairman, E-Committee, be also placed before the Committee to be nominated by Hon'ble the Chief Justice of India.
- 9) Strengthening of A.D.R. system, including mediation and conciliation.

RESOLVED

That

- a) The High Courts shall expedite adoption and implementation of the National Plan for Mediation with such modifications, as deemed necessary.
 - b) More number of mediation centres be established at the district level.
 - c) Hon'ble the Chief Justice of India be requested to nominate a Committee to consider the question of imparting training to the trainers and constituting a national panel of trainers for training the mediators. The Report submitted by Hon'ble Mr. Justice S.B. Sinha, former Judge, Supreme Court of India, be also placed before the said Committee.
- 10) Strengthening legal aid systems.

RESOLVED

That

- a) The Chief Justices of the High Courts will appoint a Committee of Judges to monitor the legal aid system.
 - b) Only competent young advocates, who are motivated and have zeal to work for legal aid be appointed for legal aid work.
- 11) Financial autonomy to the High Courts.

RESOLVED

That

- a) Financial autonomy be given to the High Courts, especially in regard to utilization of funds for the purpose of providing infrastructure, such as court complexes, inclusive of electricity back-up by way of generator sets, computerization and residential quarters, etc.
- b) The Chief Justices of the High Courts be

delegated with powers to appropriate and re-appropriate funds, whenever required, within the budget allocated by the State Government for the judiciary of the State.

- c) The matter be taken up at the Joint Conference of Chief Ministers and Chief Justices to be held on August 16, 2009.
- d) The Chief Justices of the High Courts will take up the matter with respective State Governments to suitably increase the allocation of funds so that budgetary demands of the High Courts and subordinate courts could be met.

- 12) Holding of courts in jail by every Chief Metropolitan Magistrate or the Chief Judicial Magistrate or Metropolitan Magistrate/Judicial Magistrate of the area in which a district jail falls, on regular basis to take up the cases of those undertrial prisoners who are involved in petty offences punishable upto three years or are keen to confess their guilt.

RESOLVED

That

- a) The Chief Justices of the High Courts will expedite the matter with the respective State Governments for the purposes of holding of courts, in jail, of Chief Metropolitan Magistrate/Chief Judicial Magistrate or Metropolitan Magistrate/Judicial Magistrate, wherever possible, in terms of the Resolution passed in the Chief Justices' Conference in the year 2003.
- b) The Chief Metropolitan Magistrate/Chief Judicial Magistrate or Metropolitan Magistrate/Judicial Magistrate, shall discharge obligation keeping in view the principles of 'Plea Bargaining' as enshrined in Chapter XXI-A of the Code of Criminal Procedure, 1973, and confessions in petty cases.
- c) Advocate provided by the District Legal Services Committee/State Legal Services Authority be also deputed, wherever not deputed, in jail to work in the aid of under-trial prisoners for providing requisite services to them to present their case before the Chief Metropolitan Magistrate/Chief Judicial Magistrate or Metropolitan Magistrate/ Judicial Magistrate, as the case may be.

- 13) Increase in the strength of Judges of the High Courts and Subordinate Courts.

RESOLVED

That

- a) The following Resolution passed in the Chief Justices' Conference, 2008, is reiterated:

"The High Court will take immediate steps for filling-up of the vacancies of Judicial Officers in their respective jurisdictions and will adhere to the schedule laid down by the Hon'ble Supreme Court in Malik Mazhar Sultan & Anr. Vs. Uttar Pradesh Public Service Commission & Ors. for appointment of subordinate Judges."

- b) The matter be taken up with the Central Government that 1/4th of the increased sanctioned strength in the High Courts be of additional Judges and remaining 3/4th will be of permanent Judges.
- c) The Chief Justices will make recommendation for increase in strength of Judges of the High Courts and subordinate courts, after taking into consideration the pendency of cases and other relevant criteria for calculating the requirement of number of judges.

- 14] Progress made in setting-up of permanent mechanism for implementation of Resolutions passed by the Chief Justices' Conference and decisions taken at the Joint Conferences of Chief Ministers and Chief Justices.

RESOLVED

That

The matter be taken up at the Joint Conference of Chief Ministers and Chief Justices to be held on August 16, 2009.

- 15] Strengthening of training of Judicial Officers.

RESOLVED

That

- a) The National Judicial Education Strategy prepared by the National Judicial Academy be adopted and operationalized by the High Courts.
- b) The Chief Justices of the High Courts will consider the desirability of nominating an Academician to the State Judicial Academies, after adjudging his eligibility and suitability to the post.

- 16] Increase in the ratio of appointments to High Courts from amongst Judicial Officers to fifty per cent of the Judges' strength of the

concerned High Court instead of the present one-third.

RESOLVED

Discussed.

- 17] Progress made in setting-up of Juvenile Justice Boards.

RESOLVED

That

- a) The Resolution passed to the following effect in the Chief Justices' Conference, 2006, is reiterated:

"That High Courts will impress upon the State Governments to set up Juvenile Justice Boards, wherever not set-up. The Chief Justices may nominate a High Court Judge to oversee the condition and functioning of the remand/observation homes established under the Juvenile Justice (Care and Protection of Children) Act, 2000."

- b) The Chief Justices of the High Courts will expedite the matter with the respective State Governments for setting up of Juvenile Justice Boards, wherever they have not yet been set up.
- c) The Chief Justices of the High Courts will nominate a Judge to make periodical visits to Juvenile Homes, wherever set up, and the learned Judge may suggest remedial measures for the betterment of the conditions of the juvenile homes and inmates.
- d) Hon'ble the Chief Justice of India is requested to take up the matter at the Joint Conference of Chief Ministers and Chief Justices to be held on August 16, 2009.

- 18] Strengthening of Lok Adalat System.

RESOLVED

That

- a) Steps be taken to further strengthen the Lok Adalats, it being an effective and efficient alternative mode of dispute settlement.
- b) More number of retired Judges be associated with the process of Lok Adalats for the purpose of increasing the rate of disposal of cases in Lok Adalats.
- c) Efforts be made to educate the people, especially the downtrodden, in respect of their rights by providing information on

Doordarshan, local channels of the States and in any other manner.

- 19] Steps to be taken for filling up of vacancies in the High Courts and Subordinate Courts.

RESOLVED

That

- a] The Chief Justices of the High Courts will take requisite steps to fill up the vacancies in the High Courts and Subordinate Courts anticipating the occurrence thereof in order to avoid delay in filling up the said vacancies.
- b] The matter relating to creation of additional posts for Judicial Officers during the period they are on training be taken up at the Joint Conference of Chief Ministers of States and Chief Justices of the High Courts to be held on August 16, 2009, and Hon'ble the Chief Justice of India be requested to form a Committee to make recommendations in this regard.

- 20] Formation of All India Judicial Service.

RESOLVED

Discussed.

- 21] Any other matter with the permission of the Chair.

- a] Suggestion received from Hon'ble the Acting Chief Justice of the Orissa High Court that Home Secretary be also included in the Committee for implementation of the Resolutions as he looks after the affairs of the High Courts for the purpose of allocation of funds and other allied matters.

RESOLVED

That

Requisite amendment be made in the mechanism constituted for the purpose.

- b] Suggestion received from Hon'ble the Chief Justice of the Patna High Court to increase the number of working days from 210 days to 220 days.

RESOLVED

That

The Chief Justices of the High Courts will explore the possibility of increasing the number of working days from 210 days to 220 days or increase the number of working hours by thirty minutes a day.



Secretary General of Supreme Court of India with Registrars General of the Various High Courts who attended the Chief Justices' Conference.



New Conference Hall in the Supreme Court Building



Reinventing Judiciary:

A Proposal for Fundamental Judicial Reform

Justice S.B. Sinha
(Former Judge, Supreme Court of India)

The new economy, forces of globalization and international treaty system pose difficult challenges before the Indian judiciary. In the light of advent of new human rights, concept of environmental justice, the judiciary must make itself capable of dispensing justice not only between individuals but also between states, classes, groups et al. In the context of development brought about by the dominant economic philosophy of the day, the judiciary must give primacy to a concept of development which is amenable to the core constitutional values enshrined in Part III and Part IV of the Constitution of India. Professor Amartya Sen in a similar context defines 'development' as the process of extending the real freedom that people enjoy.

Meeting the challenge of proper enforcement of Constitutional, policies and law, as also large number of international treaties, conventions and covenants, which our constitution acknowledges through Article 51(C), will remain a daunting task. And precisely for this purpose, judiciary must now (after 62 years of independence) have a mature social vision of a developed India. This fundamental vision should unfold from the constitutional philosophy. Delivery of non-negotiable fundamental rights in this regard shall be ensured by the judicial wing of state. Judiciary is endowed with this responsibility as a significant constituent of the Constitutional Governance set up. Its tenets would include - protection of human right and fundamental freedoms; a responsive execution, which is subject to progressive tests such as good governance etc and economic and social development for all.

Operational Challenges facing the Judicial System

At present, the judicial reforms narrative uses the terms pendency, arrears and delay interchangeably.

Pendency suggests total number of cases before the courts. It is not necessarily a negative indication. It can also be a pointer, in certain circumstances, to the confidence of the litigant in the justice delivery system. Arrears, however, does not connote pendency but mean excess of institution over disposal. For the purpose of determining delay, life cycle of a case falling within a specified category must be found out for which a standard has to be established as a guideline.

Available statistics do not paint a very rosy picture. As per available figures, there were 53,229 cases pending before the Supreme Court as on September 30, 2009, an aggregate of 40,18,914 cases pending before the High Courts and 2,71,20,108 cases pending before all the subordinate courts put together as on June 30, 2009. Even though the pendency is not necessarily an indicator of delay, one can assume from the sheer volume of cases, that the courts are not fully manned to handle this quantum of cases. At present, there is a whopping vacancy of 20% in the courts. The trend is worrying, when we look at how cases are going to grow in the next 20 years. There is likelihood of manifold increase of 800% in cases in that period, and we might not be able to deal with this flood if we don't start doing the right thing now.

However, urgent steps are required to be taken for clearing the backlog in respect of High Courts and the States. At the outset it may be necessary to concentrate on those States and High Courts where the pendency is huge. For that purpose, an empirical study is required to be made for finding out the causes thereof as also the possible remedies.

Delays and arrears seem to have become a part of the system. There are both internal and external reasons to this problem. External reasons include

poor infrastructure, inadequate number of judges, lack of funds and lack of trained staff, increase in jurisdictions and laws without resorting to judicial impact assessment. Some of the internal reasons are lack of transparency, absence of adequate planning and management, lack of accountability mechanisms, absence of appropriately designed judicial method.

Province of Response to Challenges facing the Judicial System

The process of dealing with the problem of arrears started with the appointment of Rankin Committee which submitted its Report in 1924. It was followed by the Reports of High Court Arrears Committee of 1949, U.P. Judicial Reforms Committee, 1950 and 14th, 27th, 41st, 54th, 58th, 77th, 80th, 90th, 139th and 114th Reports of the Law Commission of India. This trail of commentaries on judicial reform confirms that the problem is as old as the formal court systems. Recommendations made in most of these reports have not been implemented.

The Parliament, also, with a view to deal with the delay in the justice delivery system had enacted new Code of Criminal Procedure, 1973 replacing Code of Criminal Procedure, 1889 which underwent amendments in 2005, 2006 and 2008. Code of Civil Procedure, 1908 was also amended in 1976. It underwent further amendments in 1999 and 2002. Evidence Act has also undergone amendment. In absence of strict compliance of the amended provisions, there is hardly any visible change either in the qualitative or quantitative aspects of the problem.

Systematic change is necessary both at the institutional level and at the level of personnel at this stage. A judicial system must have a durable norm, the constitutional goal being the hallmark thereof, which it must set out to achieve. It therefore cannot be premised on ad hoc measures or disjoint actions. Any initiative in mission mode may be found to be useful when it comes to fire fighting, however it doesn't result in an objective improvement in the system.

The Hon'ble Chief Justice of India has, pointed towards the right direction. In a speech on February 28, 2008, he remarked:

"We should have a national planning and management system for the administration of justice. What the Indian judicial system lacks is a systematic plan at the State and the National levels to overcome the delay and arrears of cases. Our National Judicial Academy is preparing a proper case management system to avoid delay and arrears of cases"

Along with this, the learned Chief Justice also announced National Minimum Court Performance Standards which proposed raising of disposal levels from 60% to 95% by reducing the number of delayed cases. He also referred to the 5x5 and the 1x1 rule. 5x5 rule talks about how not more than 5% of the cases in the court should be more than 5 years old, within the next three years. The 1x1 rule states that in 5 years not more than 1% of the cases should be more than 1 year old. He also spoke about introducing a system of computerised monitoring and encouraging use of Alternative Dispute Resolution in both civil and criminal cases.

An efficient and effective justice delivery system is the constitutional norm; judiciary being an important organ of the State. Quite a few developed and developing countries have drawn up well researched documents for judicial reforms India, should also draw up such research document. Temporary or ad hoc attempts may not be sufficient. A serious attempt should be made by the judiciary to put the justice delivery system in a systematic plan as of now.

Case Handling Capacity of the Bar/Lawyers (CHCB)

Legal education at present in terms of quality, leaves much to be desired. The law colleges are the only source for the Bench and the Bar. Unless and until the legal education is qualitatively improved, no useful purpose would be served by innovating and inventing new methods only for the judiciary.

Case Adjudication Capacity of the Judiciary/Judges

The quality of Case Adjudication Capacity by Judiciary/ Judges is directly proportional to the quality of the Bar. There is a continuing need for intellectually sound Judges with legal acumen, constitutional vision and social perspectives which can be met only by an enlightened and distinguished Bar.

Need for Management

There is a need for applying modern management techniques to court proceedings. It is felt that the disposal of case is a process which must be studied and analysed.

There is a need for maximizing the time spent by a Judicial Officer on productive 'judicial work' and minimising the time spent on non-productive 'calling' work. The first step is the analysis of time. Then comes recording of time and consolidation of time.

Our future problems - In short

In the next 20 years keeping in view the economic growth, increase in the activities of the Legal

Services Authorities in promoting legal literacy and legal awareness, there may be a steep increase in the total number of cases. The standard laid down in regard to judge- population ratio by the Supreme Court of India in *All India Judges Association and Others v. Union of India and others*, [(2002) 4 SCC 247], is fifty (50) judicial officers per million. By 2030 when the total population is expected to be in the range of 1.5 billions. Applying the said standard, we may require about 75,000 Judges. We are facing difficulties in filling up the existing vacancies. Sudden increase in the strength of the judges both at the High Courts level and Subordinate Courts level may not prove to be very useful without a proper and effective planning and management system in place. The increase in strength has to be graded and systematic, proportionate to the increase in the infrastructure as well as human resources. Recourse to shift system of courts, and evening courts will be successful only if there is cooperation of Bar.

Some Urgent Measures

A. Finances

The allocation of funds to the judiciary, is an important issue. The courts of the country have to carry out a huge gargantuan task, with limited resources.

According to Judge Jonathan Lippman, the judiciary cannot be denied the allocation of funds if it required to grow. However, it must make efficient use of the resources by adopting effective accountability tools to measure and report performance. The leaders of the system need to demonstrate a high level of expertise and professionalism in the management of court affairs and a strong commitment to introduce structural reforms to improve public satisfaction. Public trust and confidence can be ensured by improving the quality and professionalism of the Bench in that end.

The allocation of budgets for Justice Delivery System is low. Judicial financial autonomy and "out of ordinary planning models" may not by themselves be solutions. Within the constitutional framework, a shift from symbolical change to systemic changes might throw up some solutions in the area. It is imperative that the Central Government, keeping in view its constitutional obligations, grant financial aid to the judiciary to tackle with its gigantic problem which, even according to the Hon'ble Prime Minister of India, as also the Finance Minister and Law Minister, is imperative to attract more and more foreign

direct investment as delay in disposal of commercial suits and arbitrations are considered to be impediments therefor vide Prime Minister's Speech on 16th August, 2009 in Conference of the Chief Ministers of States and Chief Justices of the High Courts; Law Minister's Speech on 24th October, 2009 and Finance Minister's speech on 25th October, 2009 in National Consultation for Strengthening the Judiciary towards Reducing Pendency and Delays.

B. Infrastructure

Finances are mostly required to ensure that the courts have adequate infrastructure. Apart from Information and Communication Technology ('ICT' for short), there is a severe shortage of facilities for the various stakeholders namely the judges, lawyers, the registry and the users of the court. At present there is barely enough infrastructure to just get the work done. Efficient handling of Justice Delivery System is hampered by inadequate infrastructure and human resources. Even when average standards are applied, judicial infrastructure is wholly lacking. This equally applies to lack of human resources. This has resulted in an ever increasing backlog of judicial vacancies and supporting staff. Unless, we launch expert studies and evolve standard procedures for planning and implementing infrastructure needs, we will continue to be short in infrastructure and human resources, or we may land in a situation where there is more infrastructure, but less Judges or vice versa. If we want the system to be functionally efficient, there is a need for investment in the essential basics such as computers, libraries, Court Buildings which are able to house all the stakeholders and also be able to cater to people with disabilities.

ICT and Software Management

The use of modern technology has been widely accepted as a method of reducing errors and time taken in various spheres of life. Hence it is strongly suggested that the same be implemented in the judiciary as well. This can be done through creating an ICT Infrastructure, Hardware and development of user-friendly and powerful software. The overall system should permit the Judge to regain control of the situation and at the same time, allow all the wings of the Justice Delivery System to interface properly.

For ICT to truly be successful, one must have

participants who are IT literate and are capable of using this technology. Technology quickly changes, and people must always be in the loop as to how one can use and more importantly exploit software.

A decade and a half's experience in implementing ICT has not yielded desired results as was expected. Digitisation of old documents, proper policy in determining cut-off period for digitization, improper training of handlers, human resistance to change are some of the cited reasons for not fully implementing ICT.

C. Recommendations of the Arrears Committee

The Arrears Committee of the Supreme Court has given various recommendations with regard to reduction of arrears. Some of them are as under -

- E-governance
- Judicial Training at different levels and different phases (which would deal not only with quantity but also quality and responsiveness, e.g., Judicial Method, Total Judging, Mediation as a part of judicial reform)
- Court Management
- Case management (case flow management and case load management)
- Filling up of vacancies on time
- Creating additional courts including Fast Track Magistrate' Court
- Creating alternative legal framework (like Mediation Lok Adalats, ADR Centres, Permanent Lok Adalats)
- Creating and strengthening requisite infrastructure, etc.
- Suitable changes in the High Court Rules
- Attacking particular problems like - petty cases, cases under Section 138 of Negotiable Instrument Act, Forest Matters, Excise Matters, Traffic challan cases, etc. (Fire fighting)

D. Mediation and Conciliation Project Committee

A National Mediation Plan prepared by the Committee also provides for various measures as to how litigation can be disposed of through the mechanism of mediation. The first national plan submitted in the year 2006 was not responded to by the Central Government. The



Hon'ble Mr. Justice S.B. Sinha delivering the speech in the Mediation Training Programme organized by Mediation and Conciliation Project Committee for the Supreme Court Advocates

Committee has also recommended a comprehensive programme principally for sensitizing the Judges, titled "Mediation as a part of Judicial Reform". The Committee also suggested uniform Mediation Rules and in the Indian context preparation of a concept paper of a new 'Mediation Jurisprudence".

E. A Fresh Approach to Judicial Reforms

The National Judicial Academy has been at the forefront of producing the theology for judicial reforms after exhaustive discussions with judges and inviting reactions from various segments of the society. The judiciary consists of various tiers and each tier has its own concerns. It would be impractical for the policies to be created only at the higher levels. The officers at other lower levels have to be consulted for evolving effective policies. NJA has, and continues to conduct national and regional conferences regarding planning and management of timely justice with judges from courts in various parts of the country. This is a very encouraging development, and more needs to be done along these lines.

For the said purpose, the following 12 point strategy has been proposed by National Judicial Academy with a view to achieve Planning and Management for Timely Justice:

- 1) Establish a Policy Framework covering:
 - (i) standards for defining and measuring quality
 - (ii) standards defining court capacity;
 - (iii) standards for court infrastructure; and
 - (iv) definition of key management concepts

2) Implement a Court-Wise Planning System for systematic development of courts (covering all six factors of ROKMMA) so as to achieve stipulated performance targets, using the following tools:

- Court-wise Five Year Plans (5 year plans with 3 year/2 year/1 year action plans);
- District-Level Judicial System Development Five Year Plans; and
- State-Level Judicial System Development Five Year Plans

3) Management:

(A) Standard System of Court Management

- Process Management: process re-engineering; process automation; rationalizing rules, forms.
- Stakeholder Management (Ensuring timely inputs from process servers, counsel, police, witnesses)
- Staff Management
- Efficiency and Output/Execution of Decisions Management
- Infrastructure and Resource Management including planning and budgeting.
- User-Interface management
- Information and Documents management
- Statistics and Data Management and Reporting

(B) Standard IT-based system of case load, daily board, adjudication management and case management:

- (a) Qualitative Analysis of caseload,
- (b) Ranking and Prioritization,
- (c) Time Resource Management - scheduling; use of clubbing and grouping.
- (d) Adjudication Management: Setting and monitoring time tables for complex/neglected/subverted cases; optimal use of judicial power to ensure the adjudication process is effectively managed proactively countering dilatory tactics.
- (e) Case Management services for

complex cases (with a designated case manager)

- 4) Develop and implement a State Level/National Level Information Management System for the Administration of Justice (IMAJ)
- 5) Develop and implement a Quality Management Framework (QMF) for judgments.
- 6) Develop and implement a timeliness monitoring system to ensure time disposal of cases
- 7) Develop and implement a strategy for enhancing access to justice through socially sensitive judging; legal aid and legal literacy
- 8) Develop and implement a strategy for enhancing user friendliness of courts.
- 9) Develop and implement a strategy for prevention of corruption associated with the judicial process;
- 10) Develop and implement a systematic strategy for systemic strengthening of quality, attitudes, skills and knowledge of judges through improved selection and judicial education, and strengthening of selection and training of ministerial staff;
- 11) Promote systemic reform for strengthening the quality of key judicial system functions such as the Bar, Investigation Agencies and Department of Prosecution.
- 12) Establish a dedicated and expert Organizational Framework for Planning and Management for Timely Justice, consisting of Judicial Systems Development Planning Committees at the national and state levels; and Judicial Systems Planning and Management Support Units at the National and State Levels.

NJA considers that the following challenges face the judicial system:

- a. The need to change of role with emphasis on protection of rights and fulfillment of constitutional mandate.
- b. Providing access to justice.
- c. strengthening accountability
- d. enhancing certainty of cost/result/time

- e. developing effective systems of planning and management to address infrastructural constraints
- f. enhance quality, attitude, skill and knowledge of judges
- g. strengthen support systems -- Bar, Legal Education, State Judicial Academies.

There needs to be a statement of non negotiables which has to be delivered or ensured by the judiciary. Its tenets would include - protection of human right and fundamental freedom ; a responsive execution, which is subject to progressive tests such as good governance etc. ; economic and social development ; transparent and accountable public distribution system ; multi layered regulation to tie the corporate structure; and speedy and equality justice by the court. We must acknowledge that public consciousness has evolved with time. New public values have emerged from various movements including right of information.

These new found values and sensibilities form a new threshold for the judiciary. It is upon the judiciary to see that the grievances of marginalized community which were at the receiving end due to past onslaughts are sufficiently redressed. At the hands of the judiciary, probably, we have to showcase a new jurisprudence of social justice.

For a comprehensive judicial reforms the following fundamental shifts would be necessary :-

1. From mere Time Management to "performance standards"
2. From Advocate dominated to Judge managed adversarial litigation
3. From ad hoc board and case management to use of case management systems.
4. From managing only individual performance of judges towards managing institutional performance
5. From personal management to human resource development
6. From Manual data/records system to digital systems.

A wind of change has to fundamentally alter the relationship of people with the court. We urgently need to reposition people in our courts vis-à-vis lawyers and judges. The judicial system derives its ideology and character from the Constitution which envisages the role of guardian for courts. If we are not able to carry out judicial reforms of the variety which change the incentive structure and thus the power structure operating in the courts, I am afraid history will not judge us favorably, and in my opinion, we may be made to answer for more than our share to the collective failure.

CONCLUSION

The recent Vision Statement which was presented to Hon'ble Justice K.G. Balakrishnan CJ by Hon'ble Union Minister for Law and Justice, Dr. M. Veerappa Moily at The National Consultation for Strengthening the Judiciary towards Reducing Pendency and Delays is an incredibly encouraging development which speaks of various matters such as the National Arrears Grid, Identifying and Tackling Bottleneck areas, adoption of innovative measures and other aspects of court and case management. One however cannot become complacent. The State has to do more to ensure that this document doesn't become stillborn. Quick implementation is the key. Judiciary must take the assistance of not only the IT professionals but also management experts at all levels. It is absolutely necessary to bring about a well-thought out planning and management system. Let us adopt a systematic, scientific and well thought out plan to reform the existing system. Tackling the backlog is not the only goal. Judicial Reform is not going to be complete unless the court chooses to change when it comes to how it views concepts like justice, rights and values.

There is no denying that the judiciary exists for the litigants. We have to strive hard for an excellent justice delivery system as only excellence can breed excellence. For achieving the said goal, it is necessary to redefine the system, even the legal norms and the rules. Judiciary must be reinvented - as soon as it is possible and the higher judiciary must take the lead, and show the way.



Toning Up of Registry

1. **N**ew Computers and Printers were provided to all Judicial Sections and various Administrative Wings in 2009 under the ICT Project. Software modules are provided for maintaining the records. Computer systems are used for updating the case databases pertaining to different sections; Minimizing movement of files; Generation of notices; Generation of Dismissal letters; Registration of cases; Disposal of cases; Finding status of cases; etc.

Use of Information Technology (IT)

2. Activities of Information Technology (IT) in the Supreme Court were initiated in 1990 when the COURTIS (Court Information System) Project was commissioned for streamlining the Registry.
3. Some of the web-enabled applications, successfully implemented at Supreme Court, include:
 - ◆ The website (www.supremecourtindia.nic.in) developed by NIC for the Supreme Court of India to freely provide, inter alia, information about:
 - **CONSTITUTION:** Law, Courts and the Constitution, Sources of Law, Enactment of Laws, Applicability of Laws, Judiciary, Constitution of Supreme Court, Supreme Court Registry, Attorney General, Supreme Court Advocates;
 - **JURISDICTION:** to explain the jurisdiction of Supreme Court of India and its related terms like Jurisdiction of the Supreme Court, Public Interest Litigation, Provision of Legal Aid, Amicus Curiae, High Courts, Advocate General, Lok Adalats;
 - **RULES:** Supreme Court Rules, 1966, Regulations regarding advocates-on-record examination, Rules to Regulate proceedings for contempt of The Supreme Court, 1975 and the Supreme Court (Enlargement of Criminal Appellate Jurisdiction) Act, 1970;
 - **CJI & JUDGES:** photo gallery of sitting Hon'ble Chief Justice of India and Judges of Supreme Court along with their bio data;
 - **CAUSE LISTS:** Daily, Weekly, Advance and Supplementary cause lists of Supreme Court;
 - **DISPLAY BOARD:** The Digital as well as LCD Boards show case status of Supreme Court as well as Delhi High Court;
 - **JUDGMENTS :** Judgments delivered by the Court are available on the website under this heading.
 - **DAILY ORDERS:** within 24 hours, with free text based search also making available copy;
 - **CASE - STATUS:** latest status information about pending or disposed of case including Lower court details, party and advocate names, Date on which last listed, Waiting position, Subject category along with exact verbatim of the text of the Court's order; accessible through: Case Number, Title, Advocate names and Lower court details;
 - **PRACTICE AND PROCEDURE :** This shows Filing Procedure; Allocation & Listing Procedure, Handbook of Information, Manual of Office Procedure on Judicial Side, Forms, PIL Guidelines.
 - **INDIAN COURTS :** This provides links to other High Courts and Tribunals all over India.
 - **COURT NEWS :** Quarterly Journal of the Supreme Court is available.
 - **OTHER LINKS :** Details about Committees of Hon'ble Judges and Officers constituted by Hon'ble the Chief Justice of India, details about Registry, CJ Conference, Budgetary

Allocation, Purchase Procedure for Stores etc., Purchase Procedure for Library Books, Equivalent Citation Table. Guest House Rules, Lawyers Chambers Rules, Right to Information Act, Compendium of Circulars, Supreme Court Officers & Servants (Conditions of Service & Conduct) Rules, 1961 etc. are given.

- **NEW UPDATES:** Information about the Circulars regarding Recruitments, Speeches of Hon'ble Chief Justice of India, Pendency of cases in Supreme Court, High Courts and Subordinate Courts and Weekly expenditure of the Supreme Court Registry is given under this heading apart from other Updates regarding Chief Justices' Conference etc.
- ◆ **Filing Counter Computerization:** On tender of a fresh case at the Filing Counter, the data entry Operator enters preliminary details of the case required for the purpose of Registration, generating information about court fee & limitation and also Filing receipts;
- ◆ **E-Filing:** NIC has developed, for Supreme Court, software as a convenient tool especially for out station petitioners/advocates to facilitate filing their petitions or pleadings without the need to come to the Supreme Court; the system also provides facility of serving court notices, latest Orders of the Court, etc., through e-mail;
- ◆ **Automatic scheduling of Regular Hearing Cases:** A software module has been in use for automatic scheduling and generation of Cause List of Regular Hearing matters;
- ◆ **List of Business Information System (LOBIS):** which contains information about pending and disposed of cases since 1990, its database running into 7 lakh records, also utilized in time-critical application of generating Cause Lists and also for bunching/grouping technique;
- ◆ **Court Orders/Proceedings Computerization:** Software enables the Court Masters to speed up the process of typing orders/judgments by providing the preamble, which includes the Item Number of the Case in the Cause List, Names of Parties, Advocate Names, High Court/Lower Court details, date of order, etc.
- ◆ **Record Room Computerization:** keeps track of (14,29,867 files from 1950 till date consigned to the Record Room. Out of the above about 12,699 files of period 2000 to 2004 have been scanned by the Supreme Court. About 3805112 pages of the period 1950 to 1976 have been scanned by HCL Info System Ltd, to

whom the work of scanning of files for the above period, has been, assigned;

- ◆ **Statistical Reports:** to generate every month Statistical reports on the institution, disposal and pendency;
- ◆ **Legislation Information System:** containing information about all Central Acts, right from the bill stage till its enactment, retrievable through title, catchwords, subject, year, etc.
- ◆ **Receipts And Issue Section:** uses software module, developed for its specific needs to maintain records about receipt and dispatch of letters, notices, etc.;
- ◆ **SUPNET:** A web enabled retrieval system for the Supreme Court employees that includes Telephone Directory of officers, Leave records, Personal information of employees, Pay details and status of various advances taken, etc.

DEPOSIT OF SUITOR'S FUND

4. The amounts deposited by the litigants in the various cases pending before the Supreme Court of India were earlier deposited in a separate account known as "Suitors Fund" and deposited in fixed deposits, whenever directed, by the Court in the official bank of Supreme Court of India. This did not always fetch the maximum interest. Hence, Hon'ble the Chief Justice of India by order dated 29.5.2006 directed that all amounts above Rs.50,000/- shall be deposited in nationalized banks offering maximum rate of interest, for such period, as ordered by the concerned court. For the above purpose, the Registry maintains a panel of nationalized banks offering the highest interest rate for different amounts and periods. The above panel is updated every month by calling the latest rates from the nationalized banks.

The fixed deposits which mature during a given month are uploaded on the Supreme Court Website at least 15 days in advance to give advance intimation to the litigants and banks.

In the case of amounts exceeding Rs. 5 crores, a different procedure is adopted. Sealed quotations are invited from all nationalized banks by simultaneous publication in the newspaper, individual notice to all the nationalized banks, and also by inviting quotations through the Supreme Court website. The sealed tenders are opened in the presence of Registrar(Admn.). Thereafter, the representatives of the banks who are present at the time of opening the tender are given option to quote higher rate than the highest

quoted rate and the tender is confirmed in favour of the bank quoting the highest rate.

A transparent and effective method is evolved to ensure that the suitors' deposits are deposited to fetch the maximum interest during the period of litigation.

During the period from 1st October, 2008 to September, 2009, a total sum of Rs.5,58,55,976/- (Rupees Five Crores Fifty Eight Lakhs Fifty Five Thousand Nine Hundred Seventy Six only) approximately was deposited, and a sum of Rs.510,92,36,160/- (Rupees Five Hundred and Ten Crores Ninety Two Lakhs Thirty Six Thousand One Hundred Sixty only) approximately has been reinvested in different banks, for different periods.

Amounts to the litigants are paid back as per Court's Order after deduction of 1% commission on principal amount and 2.50% commission on interest amount which is deposited in Government account, as per provisions of Rule 26 Third Schedule Part III (Table of Court Fee) of Supreme Court Rules, 1966.

LIBRARY AND INFORMATION SYSTEM

5. The Supreme Court Judges Library was established in 1937, then known as Federal Court Library. It contains significant legal literature to support the need of Hon'ble Courts and Judges and has a collection of about 2,60,000 legal documents which include books, monographs, commission/committee Reports, government publications, centre and state legislations, other legislative materials and E-Resources in the form of On-Line and CD-ROM Legal Databases. It subscribes to about 200 Indian and Foreign Journals both academic and reporting. The Library has staff strength of 84 including 16 professional librarians. The users of the library are Hon'ble Judges, officers of the Registry, Research Scholars of different universities and the Law clerks attached to the Hon'ble Judges. On an average 800-850 books/other materials are being issued per day to the different courts and to the Hon'ble Judges for the use in the residential libraries. If a desired book is not available in the library, it is procured from the different libraries on "Inter-Library Loan."

In order to provide the desired information expeditiously, the Library had developed an "Alphabetical Index" containing legislative history of all Central Acts and separate indexes with the legislative history of all the Acts of

each State, which is being regularly updated as soon as amendment in any "Act" occurs. "Union Catalogue of Current Legal Periodicals" showing periodical holdings of Supreme Court Judges Library and all the High Court Libraries has also been developed to ascertain availability of any particular "Law Report" at the time of need.

The Library subscribed to many computerized legal databases. The Library has also acquired an international legal database, namely, "Westlaw International" containing Caselaws, Statutes and Articles from Foreign Journals. Access to legal databases has also been provided at the Residential Library of Hon'ble Judges.

For the current awareness purposes, Library provides 'Press Clippings' from leading National Dailies. Selective Dissemination of Information on legal aspects is a regular Service for Hon'ble Judges. Library also brings out a quarterly publication namely "Accession List" consisting of list of books and legislative materials acquired by the library in a particular quarter for the awareness of the Hon'ble Judges. Annual cumulation of the List is also compiled and circulated under the title "Library Catalogue Supplement" every year. Recently Supreme Court Judges Library has also started a new monthly publication namely "Current Contents" containing content pages of major Foreign Law Journals for awareness of the Hon'ble Judges about the recent articles published in different Foreign Law Journals.

As an innovation, an "Equivalent Citation Table" consisting of more than 3500 pages (in 14 volumes) from four major Law Journals to Supreme Court Reports and other Journals has been prepared by the Library. This Table is regularly updated and has also been made available on the Website of the Court for the benefit of legal fraternity.

Supreme Court Judges Library is a grid of libraries. In addition to Central Library, it also maintains workable collection in 12 Bench Libraries and 26 residential libraries of Hon'ble Judges. Supreme Court Judges Library is essentially a reference and research wing of the Apex Court. It has to keep close watch over the multifarious literature requirements of Hon'ble Judges and Court functionaries and provides quick reference service.

Supreme Court Judges Library has utilized Information Technology tools to a great advantage for providing expeditious and

efficient information services. Besides making available desired information to the Hon'ble Judges through 'Internet' and "CD ROM Databases" subscribed in the library, the library has developed four indigenous legal databases (SUPLIS, SUPLIB, LEGIS and CATALOGUE) for providing pinpointed information to the Hon'ble Judges. Following databases are also accessible through website of the Supreme Court namely www.supnet.nic.in with the help of "Links" as under:

- (i) SUPLIS ("Case Indexing")
- (ii) SUPLIB ("Legal Articles")
- (iii) LEGIS ("Legislation of Acts")

SUPLIS (Case Indexing), is a case indexing database containing approximately 44000 reported cases decided by the Supreme Court from 1950 onwards; retrievable by date of Judgment, Party Name, Citation, Judges Name, Petition Number, Famous Case Name and Subject.



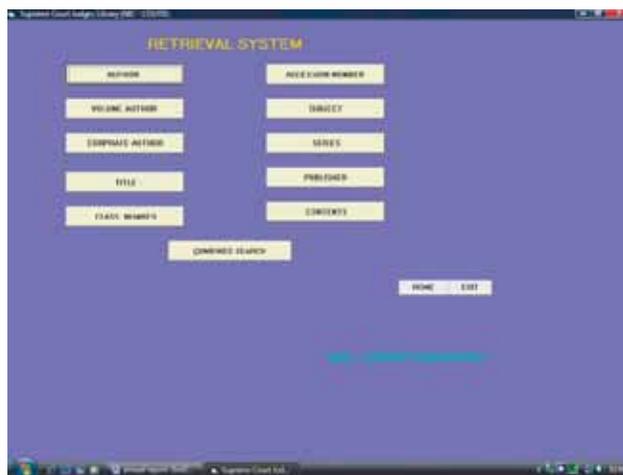
SUPLIB (Legal Articles), as the name makes it clear, is a database developed in the Supreme Court Library and contains more than 16000 articles from more than 200 Indian and Foreign Journals subscribed in the library of the Supreme Court retrievable instantly.



LEGIS (Legislation of Acts), is a database that contains details of Central Acts/Amending Acts and other statutory materials such as Rules, Bills etc.



OPAC has been specially developed for quickly ascertaining the availability and location of any book procured after the year 1973 through any access point such as Author, Title, Series, Subject, Collaborators, Editors, Accession No., Class No., Publisher etc.



6. Digital Signature: The application of Digital Signature was initially introduced on intra-net (on Supreme Court LAN) in July, 2007. Every Court Master is provided with a Smart Card based Digital Signature alongwith Smart Card Reader installed in the Computer system. File Signer Plug-in Software is also loaded in the computer system for signing documents in Linux Operating System. As soon as hard copy of the Record of Proceedings is signed by Court Master, he also signs the Record of Proceedings in electronic form available in the computer with his Digital Signature. The Digitally Signed documents are transferred to the Central Server. Officer In-Charge of

Copying Branch receives the Digitally Signed document through Local Area Network, verifies the authenticity of the Digital Signature and integrity of the document through a File Verifier Software, and upon satisfaction generates hard copy of the document for certified copy to be issued.

OTHER FACILITIES

7. A Bank, Post Office and a Railway Reservation Counter of Northern Railway are functioning in the Supreme Court Complex. A departmental Canteen is functioning in the Supreme Court, apart from an Advocates' Canteen.
8. The Supreme Court Dispensary is located in the Supreme Court premises to provide medical facilities to the Hon'ble Judges, officers and staff of the Supreme Court. Various other specialist medical services are also provided there. The Supreme Court Dispensary has been upgraded and better equipped with the following facilities:
(1) Magneto-Therapy Unit (2) Serum Electrolyte Analyzer (3) Automatic Urine Analyzer (4) Automatic ESR Analyzer (5) Haematology Cell Counter (6) ENT Unit (7) Fully Automatic Biochemistry Analyzer and (8) Auto-Keroto Refractometer.
9. The facility of yoga training to the Hon'ble Judges has been arranged in the Supreme Court premises through Morarji Desai National Institute of Yoga, New Delhi.

RECENT INITIATIVES

10. The Hon'ble Chief Justice of India has constituted a National Project Committee on Enforcement of Cyber Law under the Chairmanship of Hon'ble Mr. Justice Altamas Kabir, Judge, Supreme Court of India. The Committee has
 - ◆ to formulate an action plan for imparting continuous training to the law enforcing machineries.
 - ◆ to chalk out various programmes to disseminate information regarding the developments taking place in the cyber law regime.
 - ◆ to dissemination of information and training can be effected through organizing workshops and training programmes at state, regional and national level.
11. Hon'ble Chief Justice of India constituted a

"The North Eastern Regional Committee for ACCESS TO JUSTICE & SOCIO- ECONOMIC DEVELOPMENTAL PROGRAMMES" with Hon'ble Justice Dr. Mukundakam Sharma Judge, Supreme Court of India as its Chairman for the North Eastern Region to be organized jointly by Legal Services Authority, Indira Gandhi National Open University (IGNOU) in association with the Ministry of Development of North Eastern Region.

12. Hon'ble Chief Justice of India constituted a **"The National Committee for PARA LEGAL TRAINING AND LEGAL AID ACTIVITIES"** with Hon'ble Mr. Justice P.Sathasivam, Judge, Supreme Court of India as its Chairman to be organized jointly by Legal Services Authorities, Ministry of Youth Affairs, Government of India, Nehru Yuva Kendra Sangathan and Rajiv Gandhi National Institute of Youth Development.
13. Right to Information Act, 2005: Under the Right to Information Act, 1425 applications were received by the Central Public Information Officer during the year and 1345 applications were disposed of. Out of the 184 appeals filed, the First Appellate Authority disposed of 172 appeals.
14. Summer Vacation Training : During the last Summer Vacation, Computer training was imparted to the Officers and members of staff from 19 May 2009 to 29 May 2009 and 08 June 2009 to 12 June 2009.

WELFARE MEASURES :

15. Training Programme on Breast Self-Examination and Screening for Breast Cancers was held on 12.06.2009 between 11.30 A.M. to 12.30 P.M. for awareness of female staff. The Training was imparted by Dr. Anita Khokhar, Associate Professor, Vardhman Mahavir Medical College and Safdarjung Hospital.

BUDGET

16. Under Article 146(3) of the Constitution of India, the administrative expenses of the Supreme Court, including all salaries, allowances and pensions payable to or in respect of the officers and servants of the Court, are charged upon the Consolidated Fund of India, and any fees or other moneys taken by the Court form part of that fund.
17. The Budgetary Grants for the financial years 2008-09 was Rs. 79.30 crores and for 2009-10 it is Rs. 88.02 crores.

A View of the Judges' Library





E-committee

1. **T**he main problem challenging the Indian justicing process is the mounting arrears and long delays. To tackle the gigantic task, information technology is being used as a handy tool, in Indian judiciary comprising of nearly 15,000 courts situated in 2,500 court complexes located across the country.
2. In order to devise a National Policy and Action Plan with appropriate spread and phasing to implement ICT in courts across the country and their web-based interlinking, E-Committee was constituted by the decision of the Union Cabinet. Hon'ble Mr. Justice P.K. Balasubramanyan, retired Supreme Court Judge, is the Chairman of the E-Committee, since 1st February, 2008. The mandate of the E-Committee was, inter alia, to formulate a National Policy on computerization of the justice delivery system and to draw up an action plan with appropriate phasing for technological, communication and management related changes and time-bound implementation. This Committee is also required to design an IT network along with NIC and other knowledge and service providers and create an IT grid, linking the Apex Court to all the courts in the country.
3. The E-Committee framed the National Policy and Action Plan for Implementation of Information and Communication Technology (ICT) in the Indian Judiciary, which was approved by Hon'ble Chief Justice of India on 04.08.2005. It is proposed to implement ICT in Indian Judiciary in three phases over a period of five years. Keeping in view the importance of the project, in 2006, the Union Cabinet declared the project to be one of the Mission Mode Projects under the National E-Governance Plan and thereafter accorded sanction to the budgetary requirements and allotted Rs. 441.80 crores for implementation of the 1st phase.
4. The steps taken/initiated in PHASE I include:
 - Creation of Computer rooms in all court complexes – Out of estimates for site preparation received from 1356 complexes, approval has been given in 1109 sites and funds remitted for 577 sites to make them ready before the end of the current year for receiving the hardware to be installed.
 - 13365 Laptops and 12454 laser printers have been supplied to Judicial Officers and Judges.
 - Broadband connections have been provided in 486 District Courts and 1272 Subordinate Courts and to 9686 judicial officers at their residences.
 - IT training has been given to 11005 Judicial Officers and 44020 Court Staff.
 - National Informatic Centre is selecting and training officers for being deputed to the various District Courts so as to help the District Courts in training the Judicial Officers and the staff, in finalizing the site preparations and for other help that may be required in the matter of installation of the hardware.
 - A Software Development Committee was constituted on 7.3.2008 for development of customized applications software for Indian Judiciary. It is headed by Hon'ble Chairman of the E-Committee and includes, as members, Hon'ble Mr. Justice Madan Lokur, Judge, Delhi High Court, Hon'ble Mr. Justice R.C. Chavan, Judge, High Court of Maharashtra and four others. Under the supervision of the Committee,

NIC is developing software to be run on pilot basis in six centers namely, Mumbai, Chennai, Cochin, Gwalior, Dehradun and two sites in the State of Assam. On the basis of trials and study of advantages and disadvantages, common software will hopefully be prepared to be used in all centers with necessary local modifications.

- Steps have been taken to finalise the digital signatures.
 - For upgradation of the IT infrastructure in Supreme Court and High Courts, proposals have been called for from the Supreme Court and all the High Courts regarding the requirements.
 - For inter-linking various courts, steps have been taken to provide Video Conferencing Facility, for which equipments have been finalized and tender floated.
5. During PHASE II, the E-Committee proposes to provide ICT coverage of judicial processes from filing to execution and all administrative activities and during PHASE III, it is intended to create Information Gateways between Courts and Public Agencies & Departments and use of advanced ICT and scientific tools.
6. During the past one year, funds for site preparation for 977 court complexes across the country have been provided. As on date, it has been reported that sites for 400 District Court complexes and 464 subordinate court complexes, totaling 864 court complexes, have been completed.

Purchase orders have been issued for supply of hardware for the upgradation of the system in the Supreme Court and in 19 High Courts and the hardware delivered to all those courts. As on date, installation of such hardware has been completed in 13 High Courts and is in the process of completion in other 5 High Courts. The Local Area Network survey has also been completed in 15 of the 18 High Courts and is in progress in other 3 High Courts. Purchase orders for LAN installation has been placed with the vendors in respect of 9 High Courts.

Site surveys have been completed and purchase orders have been placed for delivery of the hardware and installation at 235 District Court complexes. Hardware has been delivered to 110 sites. LAN survey has been completed and purchase orders for installation of LAN have been issued to the vendors for 186 District Court complexes.

Steps have been taken to procure DG sets at State level as power backup. Cost estimates have been received and are being received from various High Courts.

Technical manpower is being provided and the positioning of 88 technical persons across 21 High Courts and to the Supreme Court has been completed. 36 of the 88 technical persons have already been deployed in 12 High Courts. The same is being done also for the Benches of the High Courts in different States. Job orders have been issued for deployment of technical manpower (System Officer) at 501 judicial Districts. Of them 298 have been given the necessary training and actually deployed at various District Courts across the country.

Provisions have been made in the development of the software application and the version prepared is being tried at various High Courts and District Courts. The High Courts have been requested to send feed backs so that appropriate modifications/alterations could be made in the software to meet the local needs. Pilot sites have been identified and the version of the software for the District Courts are to be deployed in those pilot sites. The application software has actually been deployed at 7 of the 15 pilot sites identified.

About 3500 Universal Serial Bus (USB) tokens have been delivered at various High Courts and District Courts for issuance of the digital signatures.

About 10,000 Broadband internet connections have been given for judges' residences at District and subordinate court complexes.

Project monitoring website is in place for status upgradation and report latest status on all modules for all the High Courts. For that, management support by Ernst and Young at national and States level has also been provided.

In a meeting of the Chairmen of Steering Committees of the High Courts incharge of implementation of the e-Courts scheme held on 15.11.2008, the Hon'ble Chief Justice has emphasized the need for expediting integration of Information Technology into our system. The actual status of the programme in various States under the supervision of the various High Courts were discussed and the points on which further action was needed highlighted.

In addition, a workshop for all central project coordinators in the various High Courts was held to take further stock of the developments in implementation.



Role in Training & Education

JUDICIAL TRAINING-National Judicial Academy

1. A major initiative of the Supreme Court in the closing years of the last century has been the establishment of an All India Institution for judicial education, research and training at Bhopal. On September 5, 2002, the President of India formally dedicated the National Judicial Academy (NJA) to the Nation and propounded a Second Vision for the Republic in which His Excellency envisaged a new, dynamic role for the judiciary for making India a developed country by the year 2020.
2. National Judicial Academy was established as a Registered Society, fully funded by the Government of India and commenced its activities immediately. Hon'ble the Chief Justice of India is Ex-officio Chairman of the Society. The Society, inter alia, has two puisne judges of the Supreme Court as Members.
3. In October 2006, the Academic Council of the National Judicial Academy, chaired by the Hon'ble Chief Justice of India, adopted the

National Judicial Education Strategy, which establishes, for the first time, a clear framework for national judicial education. The strategy sets the goal of national judicial education as enhancing timely justice through delay and arrears reduction and enhancing the quality and responsiveness of justice. The strategy aims to scale up national judicial education so as to provide every Judge an opportunity to participate in judicial education - at the state or national level - for at least one week each year.

4. NJA has been implementing the strategy in earnest since October 2006. The national judicial education provides an interactive forum for the Judges of India, across the country and across different levels of the Judiciary, to come together to discuss cross-cutting problems facing the administration of Justice and develop solutions with legal and inter-disciplinary inputs. In order to contribute to the enhancement of timely justice, NJA has also taken up formulating proposals for policy development for consideration of the Supreme Court and the conference of Chief Justices. NJA has drafted a national judicial infrastructure plan and is also developing minimum standards of infrastructure for state judicial academies. To implement this programme, NJA has also strengthened its academic, administrative and financial capacity.

5. STRUCTURE OF THE ANNUAL CALENDAR

The Academy has developed a new structure for the NJA Calendar for better planning and implementation of its work. The Annual Calendar of Programmes from July 2009 to May 2010, is approved by the Academic Council of the NJA. The salient features of the new calendar are as under:

The NJA Calendar focuses on four broad objectives ("streams"):

- (1) Enhancing the **quality of adjudication** in



National Judicial Academy

subordinate courts, focusing on the main types of adjudication handled by subordinate courts;

- (2) Enhancing **core judicial qualities, attitudes, skills and knowledge** of judges in subordinate courts;
- (3) Contributing to the **development of law and strengthening of the judicial system**; and

(4) Contributing to **strengthening judicial academies**.

Twenty types of programmes have been developed to implement the objectives of these streams, as follows (new programme types, introduced for the first time are in bold):

Stream	Programme Types
(1) Enhancing the quality of adjudication in subordinate courts.	(1) National Adjudication Management Programmes (AMP) for the District Judiciary.
(2) Enhancing core judicial qualities, attitudes, skills and knowledge	(2) National Judicial Workshops on Enhancing Core Judicial Qualities, Attitudes, Skills and Knowledge (QASK) of the District Judiciary (3) Intensive Judicial Excellence Enhancement Programmes (JEEP) for the District Judiciary (4) National Orientation Programmes for Newly Appointed Additional District Judges (5) National Orientation Programmes for Newly Appointed Civil Judges (Junior Division)
(3) Development of law and strengthening of the judicial system	(6) Annual Supreme Court Retreat (7) Monthly National Conference of High Court Justices on the Development of Law and the Judicial System (8) National Conference of Newly Appointed High Court Justices (9) Zonal Conferences of District Judiciary Judges on Development of Law and Strengthening of the Judicial System (10) National Judicial Seminars of the District Judiciary on Development of Law (11) National Judicial Seminars of the District Judiciary on Strengthening the Judicial System (12) National Judicial Seminars of the District Judiciary on the Role of Subordinate Courts in Responding to Key Social Challenges Facing the Country (13) Research on the Development of Law and Strengthening the Judicial System. (14) Special/Sponsored Events on the Development of Law and Strengthening the Judicial System. (15) Programmes for other Stakeholders of the Judicial System (16) Publication Programme on the Development of Law and the Judicial System
(4) Development of judicial academies	(17) Programme Development Labs for the Development of Curricula, Syllabi, Content and Method of Judicial Education Programmes (PDLs) (18) NJA Training Programme for Staff of State Judicial Academies (19) Academic Programmes for Judges (20) Research on Judicial Education

REPORT OF THE PROGRAMMES HELD FROM 1st OCTOBER, 2008 TO 30th SEPTEMBER, 2009

Several programmes for judges have been scheduled for this year under the various programme types. In addition, the Academy is scheduling a number of research programmes as well as special events. The details of each programme are as under:-

WORKSHOP ON "JUDGING SKILLS FOR EFFECTIVE USE OF ADR : MEDIATION, LOK ADALAT AND PLEA BARGAINING"

The Judicial Workshop on "Judging Skills for Effective Use of ADR : Mediation, Lok Adalat and Plea Bargaining" was held at the National Judicial Academy from 17th-19th October, 2008. The objective of the Seminar was to discuss and develop judging skills needed for the effective use of ADR including mediation, lok adalat and plea bargaining.

PROGRAMME DEVELOPMENT LAB ON COURT PROCEDURES, ADR AND DISPUTE SETTLEMENT

The National Judicial Academy conducted a Programme development lab on Court Procedures, ADR and Dispute Settlement from 17th-19th October, 2008. The PDL was attended by Directors and Additional Directors of State Judicial Academies, as well as Judges who are visiting the SJAs as faculty members. The purpose of this programme was to take stock of the work of the state judicial academies on court procedures, ADR and dispute settlement and discuss NJAs programmes on the topic and to develop a model programme for the SJAs on the same topic.

HIGH COURT JUSTICES' CONFERENCE ON HUMAN RIGHTS LAW : CURRENT ISSUES AND EMERGING CHALLENGES

The National Conference of High Court Justices on "Human Rights Law : Current Issues and Emerging challenges" was held during October 18-19, 2008. The objective of the conference was to understand the challenges faced by High Courts in protecting human rights; to discuss how High Courts are responding to these challenges; and to examine the contribution of High Courts in developing the jurisprudence of human rights.

ZONAL JUDICIAL WORKSHOP ON PLANNING AND MANAGEMENT FOR TIMELY JUSTICE (PMTJ)

The National Judicial Academy, along with the concerned High Courts conducted seven zonal judicial workshops on Planning and Management for Timely Justice. Judges from the subordinate Courts participated in this workshop. In this programme, the concept of planning and management for the

district judiciary was introduced. The PMTJ framework is predominantly a bottom-up, Court-wise planning system with separate case management and caseload management systems.

WORKSHOP ON SOCIALLY SENSITIVE JUDGING : JUDGING SKILLS FOR PROTECTING THE RIGHTS OF POOR AND SOCIALLY EXCLUDED LITIGANTS; PUBLIC INTEREST LITIGATION; IMPLEMENTATION OF LEGAL AID AND STRENGTHENING ACCESS TO JUSTICE

The National Judicial Academy organized a National Workshop on "Socially Sensitive Judging" during November 14-16, 2008. The objective of the programme was to understand the meaning of social exclusion; to provide an overview of the extent, prevalence, patterns, causes and consequences of social exclusion in Indian society; and to discuss whether the state, including the judiciary, exacerbates or ameliorate this situation.

WORKSHOP ON "STRATEGIES FOR STRENGTHENING EQUAL ACCESS TO COURTS AND USER-FRIENDLINESS OF JUDICIAL INSTITUTIONS"

The Judicial Workshop was held at NJA during November 14th-16th, 2008. The purpose of the programme was to develop effective strategies for identifying access to justice issues and overcoming them; for assessing and enhancing user friendliness of courts and improved communication between courts and justice seekers.

ORIENTATION PROGRAMME FOR NEWLY APPOINTED ADJs UNDERGOING STATE LEVEL INDUCTION PROGRAMME

During the relevant period, NJA conducted Eight orientation programmes for newly appointed ADJs. These programmes were attended by newly appointed ADJs from all over the Country and were held at NJA. These programme were structured around the theme - "Visualizing India's Subordinate Courts in 2025".

SEMINAR FOR SENIOR DISTRICT JUDGES ON CONSTITUTIONAL AND ADMINISTRATIVE LAW : CURRENT ISSUES

The Academy organized a Judicial Seminary for Senior District Judges on "Constitutional and Administrative Law: Current Issues " from 21st to 23rd, November, 2008. The purpose of the programme was to familiarize senior members of the District Judiciary with Constitutional and Administrative Law adjudication in High Courts, and also to develop effective strategies for an expanded role for Subordinate Courts in upholding

Constitutional Rights and Principles of Administrative Law within their jurisdiction and powers.

SEMINAR ON TORT AND CONSUMER PROTECTION LAW

The Academy organized a Judicial Seminar for Senior District Judges on Tort and Consumer Protection Law from 21st to 23rd November, 2008. The objective of the Seminar on Tort and Consumer Protection Law was to emphasize on the greater use of Private Action through civil cases to redress personal injury.

SPECIAL EVENT :

NATIONAL CONSULTATION ON LEGISLATIVE REFORM OF PROCEDURAL LAW FOR ENSURING TIMELY JUSTICE

The primary goal of this Consultation was to provide a mandate and strategy for future reform. In line with the above discussed objective, various provision of the CPC and Cr.PC were discussed during the day and proposals for amendments at various levels of procedural law were mooted, deliberated upon and analyzed.

PROGRAMME DEVELOPMENT LAB ON PUBLIC LAW

The Academy conducted a programme development lab on Public Law from November 7th to 9th, 2008. The PDL was attended by Directors and Additional Directors of State Judicial Academies, as well as Judges who are visiting the SJAs as faculty members. The purpose of the programme was to discuss in detail judicial education programmes currently offered in this area at the national level and at the state level and identify new areas where new programmes are needed to fill any gaps.

SEMINAR ON GLOBALIZATION AND LAW : IMPLICATION FOR DISTRICT JUDICIARY

The seminar on "Globalization and Law : Implications for District Judiciary" was held at the NJA from November 7th to 9th, 2008. The overall objective of this programme was to discuss how the judicial system at the district level needs to evolve so as to effectively respond to the challenges of globalization.

HIGH COURT JUSTICES' CONFERENCE ON ENVIRONMENT PROTECTION, SUSTAINABLE DEVELOPMENT AND THE LAW : KEY ISSUES AND CHALLENGES

In this two-day Conference of High Court Justices, several aspects of environmental law and

challenges in environmental governance were discussed. Participant Judges presented the engagement of their respective High Courts with environmental law and governance followed by discussion on strategies to protect the environment through judicial intervention.

SEMINAR ON SECURING CONSTITUTIONAL JUSTICE IN THE FAMILY : KEY CHALLENGES

The Academy organized a Judicial Seminar for Senior District Judges on "Securing Constitutional Justice in the Family : Key Challenges" from 12th to 14th, December, 2008. The purpose of the programme was to discuss and clarify how courts should promote Constitutional rights and values within the family and not compromise on such values and rights for the sake of competing social values.

PROGRAMME DEVELOPMENT LAB ON CIVIL, COMMERCIAL AND ECONOMIC LAW (INCLUDING LAND LAW)

"Programme Development Labs" (PDLs) has been jointly developed and designed for specific judicial education programmes by NJA and the State Judicial Academies. PDL on Civil, Commercial and Economic Law was aimed at a very comprehensive analysis of the ongoing training programmes in the SJAs. It focused on not only design aspects but also the content of programmes as well as impact evaluation methods. Directors and Additional Directors of the SJAs participated in the PDL.

HIGH COURT JUSTICES; CONFERENCE ON CIVIL, COMMERCIAL AND ECONOMIC LAW IN INDIA : CURRENT ISSUES & EMERGING CHALLENGES

The primary objective of this conference, attended by over 25 High Court judges, was to strengthen the civil, economic and commercial legal and adjudication system in India. This included the strengthening of the role of courts in timely protection of public and private rights, enforcement of duties and accountabilities and safeguarding of legality.

WORKSHOP ON LAW PRECEDENT & INTERPRETATION OF STATUTES AND DEEDS

The Judicial Workshop on Law Precedent & Interpretation of Statutes and Deeds was held at NJA from December 26th-28th, 2008. The objective of this workshop was to discuss in detail law and judicial method relating to appreciation of law: covering interpretation of statutes and deeds as well as the law of precedent. The workshop identified the main issues and challenges in this area

and formulated suggestions on how to enhance the quality of judicial approaches to law.

SEMINAR ON ECONOMIC OFFENCES

The main objective of this programme was to discuss judicial approaches in dealing with economic crimes. The seminar began with a discussion on what offences can be defined as "economic crimes", introduction of strict liability, reverse onus clauses etc. analyzed and the judicial response to the same was examined. Twenty five judges of special courts dealing with economic crimes participated in the seminar.

WORKSHOP ON EFFECTIVE USE OF INTER-DISCIPLINARY SKILLS AS TOOLS IN JUDGING (USING ANALYTICAL TOOLS OF PSYCHOLOGY, SOCIOLOGY & ECONOMICS)

The Workshop on the Effective use of Interdisciplinary Skills as Tools in Judging was organized for the first time by NJA with an objective to provide a forum for Judges to discuss and analyze the conventional approaches to judicial decision making and to find out the extent to which analytical approaches, tools and techniques under various inter-disciplinary skills can be used in judicial decision making. The programme introduced the analytical tools used in inter-disciplinary subjects like Sociology, Psychology, Economics, Political Science and Forensic Science to the judges which can be relevant to judicial decision making. Further the programme also focused on analysis of impact of the use of such tools on outcomes of court proceedings.

SEMINAR ON ENVIRONMENTAL LAW : CURRENT ISSUES

The Seminar on Environmental law : current issues were held at NJA from December 19th to 21st, 2008. This programme was aimed to discuss the methodologies to improve the environmental justice through district judiciary.

SEMINAR ON IPR AND CYBER LAW

The Academy conducted a Seminar on Intellectual Property Rights and Cyber Law from December 19th to 21st, 2008. The overarching theme of the programme was the protection of "public interest" in intellectual property claims and litigation. The juridical foundations of intellectual property rights as a limited monopolistic privilege granted in order to reward the creator to encourage enrichment of the public domain was explored.

SEMINAR ON "CIVIL, COMMERCIAL AND ECONOMIC LAW : CURRENT ISSUES "

The Academy organized a Seminar on Civil, Commercial and Economic Law from 16th to 18th January, 2009. The primary objective of this seminar was to strengthen the civil, economic and commercial legal and adjudication system in India. This included the strengthening of the role of the courts in timely protection of public and private rights, enforcement of duties and accountabilities and safeguarding of legality.

SPECIAL EVENT :

ANNUAL WINTER RETREAT OF SUPREME COURT JUDGES

The Annual Winter Retreat of the Supreme Court of India was organized on behalf of the Supreme Court by the National Judicial Academy at Vigyan Bhawan, New Delhi on January 24-25, 2009. The main objective of the programme was to reflect on the key social, economic and political forces shaping the nature of adjudication in Indian courts in the current global and national scenario, and to discuss challenges facing the judicial system as a consequence. The inaugural session featured an inaugural address by the Vice President of India and keynote address by the Chief Justice of India. This was followed by presentations on the international financial crisis by Mr. Montek Singh Ahluwalia and Prof. Prabhat Patanik. Discussions then turned to criminal justice administration, particularly in the context of terrorism. Prof. David Cole, Georgetown University, USA, made a presentation on the US experience with terrorism and the approach adopted by the US Supreme Court to this issue.

SEMINAR ON "JUST SENTENCING : POLICY & PRACTICE"

A judicial Seminar on the issue of sentencing was organized at NJA from January 30 to February 1, 2009. The seminar was organized in the light of a Judgment of the Hon'ble Supreme Court in State of Punjab v. Prem Sagar and Ors. (2008 CriLJ 3533).

PROGRAMME DEVELOPMENT LAB ON PERSONAL LAW

The Academy organized a monthly meeting of State Judicial Academies for the purpose of developing and strengthening content of judicial education in key areas of adjudication from January 30 to February 1, 2009. The purpose of the programme was to identify topics and content (including key academic readings; key statutes; leading judicial precedents) as well as social and policy issues and

material that should be covered in judicial education in the area of Personal law.

HIGH COURT JUSTICES; CONFERENCE ON "GLOBALIZATION AND THE LAW : CHALLENGES FOR COURT"

The Academy organized this conference with the aim of exploring various challenges faced by the polity in light of the advent of globalization. The aim was also to understand the impact of rapid growth of market due to globalization on the rights discourse.

SPECIAL EVENT :

HIGH COURT JUSTICES' CONFERENCE ON "INDIAN COURTS : THE NEXT DECADE"

NJA organized a programme on "The Indian Judicial System: The next Decade" as a Special event. The Purpose of the conference was to provide an opportunity to High Court Judges from across the country who have ten years or more service left, to identify and discuss common national challenges that would need to be addressed over the next decade. The main challenges identified were enormous increase in the pendency of cases, increase in number of cases in areas such as cyber laws and cyber crimes; arbitration, including arbitration with international ramification, IPR related cases and Private International Law.

WORKSHOP ON "JUDGING SKILLS FOR EFFECTIVE ADJUDICATION OF ECONOMIC OFFENCES, INCLUDING ANTI-CORRUPTION CASES"

Corruption has emerged as one of the major challenges facing governance in India, and consequently constitutes a major part of litigation before courts across the country. Recognizing this, NJA organized a judicial workshop concentrating on adjudicating anti-corruption cases. Around thirty judges who preside over special courts dealing with anti-corruption cases participated in the programme.

WORKSHOP ON "JUDGING SKILLS FOR PROTECTION OF CONSTITUTIONAL RIGHTS BY SUBORDINATE COURTS"

The workshop dealt with various branches of law such as family law, civil justice and public interest matters from the constitutional perspective.

SEMINAR ON "LABOUR LAW IN INDIA : CURRENT ISSUES AND CHALLENGES "

The Seminar was conducted at NJA from 20th to 22nd February, 2009. The main object of the

Programme was to discuss and develop strategies to strengthen administration of justice for workers.

SEMINAR ON "INTERNATIONAL LAW : CURRENT DEVELOPMENTS RELEVANT TO THE WORK OF THE DISTRICT JUDICIARY"

The seminar on "International Law : Current Developments Relevants to the Work of the District Judiciary" was held at the National Judicial Academy from February 27 to March 1, 2009. The main objective of the programme was to familiarize the district judiciary with developments in international law relevant to their work; to explore the use of international law instruments in subordinate court adjudication and to discuss methodological issues in the area of private international law.

PROGRAMME DEVELOPMENT LAB ON PROTECTION OF THE ENVIRONMENT AND NATURAL RESOURCES

The Programme Development Lab on Environment and Natural Resources was conducted by the National Judicial Academy from 27th February to March 1st, 2009. This is a programme meant for State Judicial Academy Directors for developing a curriculum for State Judicial Academy Courses on Protection of Environment and Natural Resources.

HIGH COURT JUSTICES CONFERENCE : ANNUAL NATIONAL CONFERENCE ON CONTRIBUTION OF THE SUPREME COURT AND HIGH COURTS TO THE DEVELOPMENT OF LAW

The Annual National Conference of High Court Justices on the Constitution of the Supreme Court and the High Court to the development of law was organized by the National Judicial Academy from 28 February to 1 March, 2009 and was based on the highly successful Conference on the same theme last year in which participants mutually shared knowledge about the notable decisions of their respective High Courts and the Supreme Court. The Conference was attended by around thirty High Court Judges from all over the country.

SEMINAR ON JURISPRUDENCE OF INDIAN HIGH COURTS : ANNUAL SURVEY (2007-2008)

The National Judicial Academy conducted a Seminar on the "Jurisprudence of Indian High Courts : Annual Survey" (2007-2008). This Seminar was attended by some 30 Senior District Court Judges from across the country. The purpose of the Seminar was to discuss major decisions of the High Courts during 2007 and 2008 which are of significance to the work of subordinate courts.

PROGRAMME DEVELOPMENT LAB ON CRIMINAL LAW

NJA organized a programme development lab, concentrating on criminal law from March 13 to March 15, 2009. Directors and senior faculty members of the State Judicial Academies participated in the programme. Discussions centred around assessing issues in criminal law that come up before courts in the country, assessing the judicial education needs of judicial officers in this context, examining content of judicial education programmes being conducted by the State Judicial Academies and identifying areas in which judicial education is required.

WORKSHOP ON "ENHANCING QUALITY AND RESPONSIVENESS OF JUDGING"

The Academy organized a Judicial Workshop on enhancing Quality and Responsiveness of Justice during 20-22 March, 2009. The purpose of this workshop was to discuss a proposed common framework for defining and monitoring Quality and Responsiveness of Justice developed by NJA as an input for appropriate consideration in judicial systems managements.

SEMINAR ON "POVERTY AND SOCIAL JUSTICE : ROLE OF SUBORDINATE COURTS"

This seminar was organized with the objective of sensitizing the subordinate court judges towards poverty and social justice concerns.

SEMINAR ON JURISPRUDENCE OF THE SUPREME COURT : ANNUAL SURVEY (2007)

The purpose of this second national seminar was to provide an opportunity for the judges of the District Judiciary to prepare and present papers on the key decisions of the Supreme Court of India in the year 2007 of significance to the work of subordinate courts.

HIGH COURT JUSTICES' CONFERENCE ON "GOVERNANCE AND PUBLIC LAW : CURRENT ISSUES AND EMERGING CHALLENGES"

The High Court Justices' Conference on "Governance and Public Law : Current issues and Emerging Challenges" was held at the Academy during March 28-29, 2009. The main objective of the conference was to explore the facets of, and reasons behind, the crisis of governance in the country; and the possible and extant judicial responses thereto.

JUDICIAL WORKSHOP ON PLANNING AND MANAGEMENT FOR TIMELY JUSTICE (PMTJ) : NATIONAL WRAP UP AT NJA

The National Judicial Academy organized a

National Judicial Workshop on Planning and Management for Timely Justice : (National Wrap Up) from March 27th to 29th, 2009. Around 100 Judges from across the country participated in this workshop. The draft prepared by Dr. G.Mohan Gopal relating to strategic framework on planning and management for timely justice was discussed at length through various presentation analyzing major challenges facing the system and over a dozen issues responsible for these challenges with broad suggestions for their solution. The issues of docket exclusion, declining filing, declining productivity, inadequate strength of judges vis-à-vis future needs of judicial system and development of court wise, district wise and state level plans were discussed in detail.

JOINT EVENT : NATIONAL CONFERENCE ON JUDICIAL EDUCATION IN INDIA : "TOWARDS A NEW VISION" AND NATIONAL CONFERENCE ON INDIAN JUSTICE SYSTEM : CURRENT ISSUES AND EMERGING CHALLENGES

The Academy organized a brainstorming seminar on the topic 'Challenges Facing the Indian Justice System : Towards a New Vision' on 15th and 16th April 2009. The main aim of this seminar was to obtain inter-disciplinary feedback on new analysis developing at NJA on the challenges facing the Indian Justice System. This seminar brought together experts and analysts from different disciplines in order to receive inputs on the issues and challenges facing the judicial and legal system in India and to analyze the responses to these challenges including the role of judicial and legal education.

INDUCTION PROGRAMME FOR NEWLY RECRUITED CIVIL JUDGE (JR. DIVISION)

The National Judicial Academy organized an Induction Programme for Newly Recruited Civil Judge (Jr. Division) from April 16th to 27th, 2009. The 12 days Orientation Programme for Newly Appointed Jr. Division Civil Judges was conceived with the objectives of providing the newly appointed judges a national perspective of the challenges facing judicial system and their role in meeting such challenges.

SEMINAR ON THE VISION OF JUSTICE OF THE CONSTITUTION OF INDIA

The Academy organized a Judicial Seminar on "The Vision of Justice of the Constitution of India" from April 17th to 19th, 2009. "Justice" is the stated goal of courts. The objective of this programme was to develop, to the extent possible, a clear understanding of the concept of Justice and of the

Constitutional Vision of Justice and to formulate an operational and practical methodology for ensuring that judicial discretion is guided by the Constitutional Vision of Justice.

PROGRAMME DEVELOPMENT LAB ON LAW, SOCIETY & DEVELOPMENT, INTERNATIONAL LAW & EMERGING AREAS OF LAW

The Academy organized a Programme Development Lab (Meeting of State Judicial Academy Directors) on Law, Society and Development; International Law and Emerging Areas from 17th April, to 19th April, 2009. The Programme was designed in a way as to develop programme for state judicial academies on the above mentioned three clusters.

PROGRAMME FOR ADMINISTRATIVE MEMBERS OF CENTRAL ADMINISTRATIVE TRIBUNAL

The Academy organized a short term orientation programme for newly appointed Administrative Members of Central Administrative Tribunal from April 20th to April 23rd, 2009. The objective of the programme was to strengthen judicial skills of Administrative Members of Central Administrative Tribunal. This was the first programme of its kind organized by NJA.

WORKSHOP ON JUDICIAL METHOD : REASONING, JUDICIAL DECISION MAKING, JUDGEMENT WRITING AND COMMUNICATION

The Workshop on "Judicial method : Reasoning, Judicial Decision-Making, Judgment Writing and Communication" was held at the Academy Campus from April 24 to April 26, 2009. The main objective of the program was for NJA to learn about the problems with the existing approach and methodology of judges in deciding cases, and to use the results of this diagnostic in formulating policy responses.

HIGH COURT JUSTICES' CONFERENCE ON "POVERTY ALLEVIATION, SOCIAL JUSTICE AND THE LAW : ROLE AND RESPONSIBILITY OF COURTS"

The National Judicial Academy organized a National Conference of High Court Justices on "Poverty, Social Justice and the Law : Role and Responsibility of Courts" during April 25-26, 2009. The purpose of this Conference was to discuss ways and means to make the decision making in the High Courts more relevant to the masses of the country.

HIGH COURT JUSTICES' CONFERENCE ON USE OF INTERNATIONAL AND FOREIGN LAW BY INDIAN

COURTS : CURRENT DEVELOPMENT AND KEY ISSUES

The High Court Justices' Conference on "The Use of International and Foreign Law by Indian Courts : Current Development and Key Issues" was held at the National Judicial Academy during May 9-10, 2009. The main objective of the conference was to deliberate upon the changing global legal order and its impact on the Indian domestic legal system.

NATIONAL ORIENTATION PROGRAMME FOR NEWLY APPOINTED CIVIL JUDGES (JUNIOR DIVISION)

The NJA conducted three 12 days National Orientation Programme for Newly Appointed Civil Judges (Jr. Division), at National Judicial Academy. Around fifty Judges from across the country participated in each of this programme.

The objectives of the Programme were to provide newly appointed Civil Judges (Junior Division) inputs on the critical factors that determine the quality of a judicial system. The programme aimed at enhancing quality and responsiveness of justice system and providing the young Judges with the Constitutional vision of justice. The ultimate goal was to strengthen the judicial system by empowering the young Judges with qualities, skills, attitudes and knowledge required for discharging judicial responsibilities in an effective manner.

NATIONAL JUDICIAL WORKSHOP ON ADJUDICATION MANAGEMENT: ADJUDICATION OF MURDER CASES

The first 'National Judicial Workshop on Adjudication Management: Adjudication of Murder Cases' was conducted at National Judicial Academy from 24th to 27th July, 2009. Twenty five judges from the district judiciary participated in this workshop.

NATIONAL JUDICIAL SEMINAR ON RECENT DEVELOPMENTS IN CRIMINAL LAW

The National Judicial Academy organized a National Judicial Seminar on Recent Developments in Criminal Law during July 24-26, 2009. Seminar was conceptualized with a view to share the recent developments emerging from various High Courts in the field of Criminal Law. Around thirty district judges from across the country participated in the Programme.

NATIONAL CONFERENCE OF STATE JUDICIAL ACADEMIES: REVIEW OF THE NATIONAL

JUDICIAL EDUCATION STRATEGY

Programme Development Lab (PDL) on National Judicial Education Strategy (NJES) was organised during 24th to 26th July, 2009 at Academy. This programme was first in the series of programme which are specifically focused on the role of State Judicial Academies. The central point of discussion in this particular programme was: how to make SJAs an instrument for transformation of society. Maintaining focus on the NJES, various sessions consisted in elucidation of the goals and objectives of NJES.

NATIONAL JUDICIAL WORKSHOP ON ENHANCING EXCELLENCE IN CORE JUDICIAL SKILLS

The National Judicial Academy organized a National Judicial Workshop on Enhancing Excellence in Core Judicial Skills from 31 July to 2 August, 2009. The overall objective of the Workshop was to analyze and enhance excellence in core judicial skills. Judicial method, judgment and decision making, reasoning, Constitutional vision of justice guiding judging, appreciation of facts and law, statutory interpretation and interpretation of deeds and documents were the areas covered under the programme.

NATIONAL JUDICIAL WORKSHOP ON ADJUDICATION MANAGEMENT: ADJUDICATION OF CASES INVOLVING CHILDREN

A workshop on enhancing quality of adjudication of cases involving children, entitled 'Adjudication of Cases under Child Welfare Legislation (Juvenile Justice Act: and Laws against Trafficking of Children and Child Labour)' was held at National Judicial Academy from July 31st to 3rd August, 2009. Twenty four judges from the district judiciary participated in this workshop. The main object of the workshop was to strengthen the quality of judicial management in specific areas of adjudication of cases involving children.

NATIONAL INTENSIVE JUDICIAL EXCELLENCE ENHANCEMENT PROGRAMME (JEEP)

The National Judicial Academy organized a National Intensive Judicial Excellence Enhancement Programme (JEEP) from August 7th to 14th, 2009. The impact of judicial education programmes on participants and eventually on the working of courts is an important matter that is frequently questioned and discussed. In order to strengthen the impact of judicial education, NJA has developed for the first

time this year a unique programme called "National Intensive Judicial Excellence Enhancement Programme (JEEP)".

The aim of the programme is to measurably develop in a holistic manner the critical indicators of quality of judging. The objective of the Programme is to strengthen the quality of performance of individual judges in 21 specific attributes associated with high quality judging. For this purpose, NJA has identified 4 core areas that consist of 21 Focal attributes where improvement of performance of Individual judges is urgently required & assistance can be offered by NJA to the participant judges. These are:

- (1) **QUALITIES/ ATTITUDES:** Faith in Constitutional Values, Role & Responsibilities of Courts, Personal Rectitude, Commitment to Public Service, Judicial Ethics & Conduct, Openness/Humility; Empathy, Vision, Decisiveness
- (2) **FUNCTIONAL SKILLS:** Listening, Reading, Speaking, Writing, Analysis; Logic & Reasoning, English Language & Communication (including non-verbal communication), Dispute Settlement/Negotiation/ Bargaining (3) **DOMAIN SKILLS:** Appreciation of Facts, Finding & Appreciation the Law, Judging and Decision Making, Responsiveness in Judging, Managing the Adjudication Process/Team Work Skills, Administrative Skills, Foreseeing the impact of decisions. (4) **KNOWLEDGE:** Basic legal subjects, Constitution and its history, Freedom Movement and Key Social Challenges Facing the Country Including Poverty and Social Justice.

NATIONAL ORIENTATION PROGRAMME FOR NEWLY APPOINTED ADDITIONAL DISTRICT JUDGES (ADJs)

The Academy organized a Orientation Programme for newly appointed ADJs from 21st to 25th August, 2009. This programme was attended by 25 newly appointed ADJs from all over the Country. This programme was structured around the theme-"Visualizing India's Subordinate Courts in 2040"

NATIONAL CONFERENCE OF HIGH COURT JUSTICES ON PLANNING AND MANAGEMENT FOR TIMELY JUSTICE

The first National Conference for High Court Judges on Planning and Management- a Strategic Framework for Strengthening the Indian Judicial System was held from 22nd to 23rd August at the Academy. The Conference was attended by around

30 High Court judges from all over the country. The main theme of the Conference was identification of key issues or challenges facing the Indian Judicial System in the emerging global and national scenario.

NATIONAL JUDICIAL WORKSHOP ON COMMUNICATION SKILLS FOR JUDGES

The Academy organized a National Judicial Workshop on communication Skills for Judges during 22-23 August, 2009. The programme was structured around the following themes, 1: Communication and Professional Effectiveness; 2: Effective Communication Strategies; 3: Non verbal Communication; 4: Cognitive Process in Communication & Blocks in Communication; 5: English Language & Judgment writing; 6: Judgment writing; 6: Communication Skills for Judges.

JUDICIAL CONFERENCE ON ENSURING TIMELY JUSTICE: STRENGTHENING CRIMINAL JUSTICE ADMINISTRATION

Two Zonal Workshops were held by the NJA. The workshop was attended by around 80 subordinate judges from East Zone.

NATIONAL JUDICIAL SEMINAR ON RECENT DEVELOPMENTS IN CIVIL, COMMERCIAL AND ECONOMIC LAW

The Academy organized a National Judicial Seminar on "Recent Developments in Civil, Commercial and Economic Law". The seminar was held from 4th September, 2009 to 6th September, 2009. Approximately thirty members of the district judiciary from all over the country attended the seminar. The aim of this programme was to apprise the attending judges about the emergent disputes and developments in the key areas of Alternative Dispute Resolution Mechanisms, Corporate law, Taxation law, Securities law, Banking law, Insolvency law, and IPR law.

NATIONAL CONFERENCE OF PRINCIPAL DISTRICT AND SESSIONS JUDGES ON PLANNING AND MANAGEMENT FOR TIMELY JUSTICE (PMTJ)

The Academy organized three National Conferences for Principal District Judges on Planning and Management for Timely Justice. Around 35 District Judges participated in each of the programme.

The Hon'ble judges discussed the following key issues- (i) What are the expectations of the society from the judicial system, (ii) expectations of society from the judges within the existing constraints, (iii) the gaps and lacunas in the present system, (iv)

what is the role and responsibility of a principal district judge within the judicial system and is the responsibility being met and (v) what should be the future vision of a Principal District Judge.

NJA NATIONAL CONFERENCE OF STATE JUDICIAL ACADEMIES: REVIEW OF INDUCTION PROGRAMMES

Programme Development Lab (PDL) on Review of Induction Programmes, second in the series of the programmes for State Judicial Academies, was organized from 11th to 13th September, 2009 at NJA, Bhopal. One of the main aims of this programme was to discuss the induction programmes that are being conducted at SJAs. In order to facilitate and streamline discussions, NJA had suggested a structure to be followed by the directors/representatives of SJAs. On the basis of the elements identified by the participants, it was concluded that the induction programmes being conducted at the SJAs need to be strengthened along the ROKMMA framework developed at NJA re: Role of courts, Organizational effectiveness, Knowledge, Management, Method and Access to Justice.

NATIONAL JUDICIAL WORKSHOP ON ADJUDICATION MANAGEMENT: ADJUDICATION OF CASES CONCERNING SAFETY, SECURITY AND PUBLIC ORDER

The programme relating to adjudication of cases concerning safety, security and public order was held at National Judicial Academy from 11th September to 14th September, 2009. The programme was designed and conceptualized for Judges dealing with the cases falling in special areas of organized crime, terrorism and insurgency. Around 22 Judges from District Judiciary participated in the programme.

NATIONAL JUDICIAL SEMINAR ON RECENT DEVELOPMENTS IN PUBLIC LAW

The Academy organized a Seminar on "Recent Developments in Public Law" from September 11th-13th, 2009. The programme was organized to bring together district judiciary judges from across the country to discuss new areas of legal development and challenges facing the judicial system and familiarize with new areas of legal development in Public Law and challenges facing the judicial system and also to develop effective strategies for an expanded role for Subordinate Courts in protection of rights.

NATIONAL JUDICIAL WORKSHOP ON

ADJUDICATION MANAGEMENT : ADJUDICATION OF COMPLEX ECONOMIC CASES

The Academy organized the National Workshop on Adjudication Management: Adjudication of Complex Economic Cases from 18th to 21st September, 2009. The object of the programme was to formulate a methodology for handling CEC through a special judicial management at minimum cost to the government and litigants.

NATIONAL ORIENTATION PROGRAMME FOR NEWLY APPOINTED ADDITIONAL DISTRICT JUDGES (ADJs)

The National Judicial Academy organized a Orientation Programme for newly appointed ADJs from 18th to 21st September, 2009. This programme was attended by 21 newly appointed ADJs from all over the Country. This programme was structured around the theme-"Visualizing India's Subordinate Courts in 2040".

NATIONAL CONFERENCE OF HIGH COURT JUSTICES ON CRIMINAL JUSTICE ADMINISTRATION: KEY ISSUES AND CHALLENGE

National Conference of High Court Justices on Criminal Justice Administration : Key Issues and Challenges was organized during September 19 - 20, 2009. The objective of the program was to fundamentally shift the thesis on Challenges confronting Criminal Justice System from falling conviction rates, terror and weak institutions to weak rights protection, dilution of fair trial standards, arrears and miscarriage of justice.

LEGAL EDUCATION

6. Supreme Court is taking an effective though limited role in Legal Education. Hon'ble the Chief Justice of India is the Chancellor, or Visitor, of several reputed institutions like National Law University, Jodhpur, the West Bengal National University of Juridical Sciences, Kolkata, University of Delhi, National Law School of India University - Bangalore, National Law Institute University - Bhopal, Hidayatullah National Law University, Raipur, the Gujarat National Law University, Gandhi Nagar, Dr. Ram Manohar Lohia Rashtriya Vidhi Sansthan-Lucknow and National University of Advanced Legal Studies - Kochi.
7. Hon'ble the Chief Justice of India, is the ex-officio President of the Indian Law Institute (ILI), which is the premier legal and research Institute in India founded in 1956 primarily with the

objective of promoting and conducting legal research. It was granted the status of a deemed university by Government of India in 2004. Hon'ble Mr. Justice S.H. Kapadia and Hon'ble Mr. Justice R.V. Raveendran are the members of the Governing Council. Hon'ble Mr. Justice V.S. Sirpurkar is the Chairman of the Administrative Committee. Hon'ble Mr. Justice P.Sathasivam is the Chairman of Academic Council, and Hon'ble Dr. Justice B.S. Chauhan is the Chairman of Research Committee of the Institute.

The Hon'ble Judges have been taking various steps in improving legal research and to raise Indian Law Institute to international level. A Memorandum of Understanding (MoU) was signed with the Dean Rusk Centre of the School of Law at University of Georgia, by the Indian Law Institute for exchange of educational programme between the two countries, in the presence of Hon'ble the Chief Justice of India.

Law Clerks-cum-Research Assistants

8. In order to attract young law students into judicial process and to provide assistance in legal research to Hon'ble Judges of the Supreme Court, Law Clerks-cum-Research Assistants are engaged for short term assignment by the Supreme Court. These Law Clerks are drawn from various empanelled National Law Schools and other approved Law Colleges and Universities. They are given assignment on a fixed honorarium/remuneration of Rs. 20,000/- per month. At present National Law University - Jodhpur, National Law Institute University - Bhopal, National Law School of India University - Bangalore, NALSAR University of Law - Hyderabad, Symbiosis Law College - Pune, ILS Law College- Pune, The West Bengal National University of Juridical Sciences - Kolkata, Hidayatullah National Law University - Chhattisgarh, Gujarat National Law University, Gandhinagar, Dr. Ram Manohar Lohia National Law University, Lucknow, Rajiv Gandhi National University, Patiala, National Law School of Delhi, New Delhi, Chanakya National Law University, Patna and National University of Advanced Legal Studies, Kochi are the legal institutions which are empanelled by the Supreme Court. The stand-by list consists of School of Legal Studies, Cochin University of Science and Technology- Cochin, Government

Law College - Mumbai, Department of Law, Calcutta University, New Law College, Pune (only for grant of internship) and Faculty of Law, University of Delhi - Delhi.

9. The procedure for engaging Law Clerk-Cum-Research Assistants has been streamlined. In the month of December, the Law Schools, on the approved panel, are required to submit applications/bio-data of their final year students pursuing 5-year law course. A Committee of

Hon'ble Judges selects the candidates and a list of selected candidates is prepared. Students from empanelled Law Schools, Colleges/Universities are also attached, for short periods, with Hon'ble the Chief Justice of India/Hon'ble Judges, as Law Trainees. During last one year, 39 Law Graduates from various National Law Schools/Colleges/Universities have been engaged as Law Clerk-cum-Research Assistant and 116 Law Students have been placed as Law Trainees.



Law Clerks-cum-Research Assistants

ADR & Mediation

Alternative dispute resolution has greatly expanded over the last several years in India, to provide easy, quick, cheap and efficacious justice to the litigants. Mediation has become an important step in this direction. In order to give momentum to mediation, the then Chief Justice of India, constituted a Committee, known as 'Mediation & Conciliation Project Committee' [MCPC] on 9th May, 2005, under the chairmanship of Hon'ble Mr. Justice N. Santosh Hegde. After the retirement of Hon'ble Mr. Justice Hegde, the MCPC was reconstituted with Hon'ble Mr. Justice S.B. Sinha as its Chairman. At present, Hon'ble Mr. Justice R.V. Raveendran is the Chairman of MCPC. The members are Hon'ble Mr. Justice Cyriac Joseph (Judge, Supreme Court), Hon'ble Mr. Justice Madan B. Lokur (Judge, Delhi High Court), Justice A.M. Ahmadi (former CJI), Mr. P.P. Rao (Senior Advocate), Mr. Raju Ramachandran

(Senior Advocate), Member Secretary, NALSA and Registrar(Admn.).

2. The Mediation and Conciliation Project Committee has instituted three Mediation Centres in Delhi. The Mediation Centre at Tis Hazari was inaugurated on 24.10.2005, one at Karkardooma on 10.5.2006 and that at Rohini on 2.2.2009. The above Mediation Centres have received considerable response from all concerned.
3. The Mediation and Conciliation Project Committee has prepared a Training Manual and a uniform training curriculam to standardize and regulate the training methodology throughout India. A draft canon of ethics for mediators was formulated, and was sent to various trained mediators. Their responses are proposed to be taken into account to lay down canon of ethics.
4. The Mediation and Conciliation Project Committee had submitted a short term Mediation Plan to the Govt. of India. The Government sanctioned a grant-in-aid of Rs.3 crores to conduct extensive training programmes, awareness programmes and refresher courses throughout India with the object of grooming up a batch of trained mediators equipped to settle complex disputes. The training program takes in the following methods:
 5. **Training Programmes**
 - a) 40 hrs. Training Programmes on "Techniques on Mediation" for Judicial Officers and Advocates.
 - b) Awareness Programmes for Advocates.
 - c) Training Programmes for Referral Judges.
 - d) Training of Trainers (TOT).
 - e) Refresher Courses/Advance Courses/



Hon'ble Mr. Justice R.V. Raveendran delivering the speech in the Mediation Training Programme organized by Mediation and Conciliation Project Committee for the Supreme Court Advocates

Orientation Courses for Judicial and Advocates Mediators.

6. For the purpose of imparting mediation training, the services of various resource persons of Delhi Mediation Centre, Bangalore Mediation Centre and Tamil Nadu Mediation & Conciliation Centre are utilized. The Committee has so far conducted about 38 Mediation Training Programmes, 35 Awareness Programmes and 16 Referral Judges Trainings in different parts of the country. It has also conducted 2 Mediation Training Programmes for Supreme Court Lawyers in April 2009 and July 2009, in association with the Supreme Court Legal Services Committee and the Indian Law Institute. About 37 Supreme Court Advocates were imparted training.
7. Hon'ble the Chief Justice of India, inaugurated the Supreme Court Mediation Centre, jointly instituted by MCPC and Supreme Court Legal Services Committee at Supreme Court Compound, on 6th August, 2009. Ten Supreme Court Advocates, who have undergone training on 'Concept and Techniques of Mediation' for forty hours and successfully mediated ten disputes, were awarded the certificate of accreditation.
8. The Project Committee proposes to lay down uniform Mediation Rules applicable throughout India. The Mediation Rules formulated by various States have been compiled and the process of

framing new rules with the assistance of ILI is progressing. The Mediation and Conciliation Project Committee has also drafted a National Mediation Plan spanning a period of three years divided into two different phases. It is intended to lay down a well defined methodology for implementation of mediation at national level intended to achieve the following objects:-

- i) The monitoring of implementation of mediation by Mediation and Conciliation Project Committee, Supreme Court of India.
 - ii) To establish Mediation Council under MCPC and Redressal Committees in every High Court and District Courts Level to examine implementation of mediation.
 - iii) To create a pool of 6000 mediators including judicial officers, advocates, counselors, and other experts.
 - iv) Training of Referral Judges and referral of appropriate cases of mediation.
 - v) To generate and spread awareness about the benefits of mediation.
 - vi) To organise seminars/ conferences/ workshops/ symposium at regional, National and International level.
- 9 The outcome of programmes undertaken by the MCPC is encouraging. The MCPC proposes to take up more and more projects in future.



Hon'ble Mr. Justice S.B. Sinha presenting copies of National Plan and Mediation Training Manual to Hon'ble the Chief Justice of India

NATIONAL LEGAL SERVICES AUTHORITY

LEGAL AID

Article 39A of the Constitution of India provides for free legal aid to the poor and weaker sections of the society and ensures justice for all. Articles 14 and 22(1) of the Constitution also make it obligatory for the State to ensure equality before law and a legal system which promotes justice on the basis of equal opportunity to all. In 1987, the Legal Services Authorities Act was enacted by the Parliament which came into force on 9th November, 1995 to establish a nationwide uniform network for providing free and competent legal services to the weaker sections of the society on the basis of equal opportunity. The National Legal Services Authority (NALSA) has been constituted under the Legal Services Authorities Act, 1987 to monitor and evaluate implementation of legal aid programmes and to lay down policies and principles for making legal services available under the Act.

Hon'ble the Chief Justice of India is the Patron-in-Chief and Hon'ble Mr. Justice Tarun Chatterjee, Judge, Supreme Court of India is the Executive Chairman of the Authority.

In every State, a State Legal Services Authority and in every High Court, a High Court Legal Services Committee have been constituted. 596 District Legal Services Authorities and 2037 Taluk Legal Services Committees have been constituted in the Districts and most of the Talukas to give effect to the policies and directions of the NALSA and to provide free legal services to the people and conduct Lok Adalats in the State.

Supreme Court Legal Services Committee has been constituted to administer and implement the legal services programme insofar as it relates to the Supreme Court of India.

FUNCTIONING OF NALSA

NALSA issues guidelines for the State Legal Services Authorities to implement the Legal Aid Programmes and schemes throughout the country. Primarily, the State Legal Services Authorities, District Legal Services Authorities, Taluka Legal Services Committees, etc. have been asked to discharge the following two main functions on regular basis:

- I. To provide Free Legal Services to the eligible persons; and
- II. To organize Lok Adalats for amicable settlement of disputes

I. FREE LEGAL SERVICES

The Free Legal Services include:-

1. Payment of court fee, process fees and all other charges payable or incurred in connection with any legal proceedings;
2. Providing Advocate in legal proceedings;
3. Obtaining and supply of certified copies of orders and other documents in legal proceedings.
4. Preparation of appeal, paper book including printing and translation of documents in legal proceedings.

Eligible persons for getting free legal services include:-

- (1) Women and children; (2) Members of SC/ST; (3) Industrial workmen; (4) Victims of mass disaster, violence, flood, drought, earthquake, industrial disaster; (5) Disabled persons; (6) Persons in custody; (7) Persons whose annual income does not exceed Rs. 50,000/-; and (8) Victims of Trafficking in Human beings or beggar

II. LOK ADALATS

Lok Adalat is a forum where the disputes/cases pending in the court of law or at pre-litigation stage are settled/compromised amicably. The Lok Adalat has been given statutory status under the Legal Services Authorities Act, 1987. Under this Act, an award made by a Lok Adalat is deemed to be a decree of a civil court and is final and binding on all parties and no appeal lies against thereto before any court.

(a) Lok Adalats are being organized by the Legal Services Authorities/Committees on usual pattern i.e. u/s 19 of the Legal Services Authorities Act, 1987 and also for matters at pre-litigative stage, under the guidelines issued by NALSA. The following types of matters are being taken up in Lok Adalat:

- (1) Matrimonial/Family disputes;
- (2) Criminal Compoundable Offence cases;
- (3) Land Acquisition Cases;
- (4) Labour Disputes;
- (5) Workmen's compensation;
- (6) Bank Recovery cases (Nationalised, Multinational & Private Banks);
- (7) Pension cases;
- (8) Housing Board and slum clearance cases & Housing Finance cases;
- (9) Consumer Grievance cases;
- (10) Electricity matters;
- (11) Telephone Bills disputes; and
- (12) Municipal matters including House Tax cases etc.

(b) Chapter VI-A has been inserted in the Legal Services Authorities Act, 1987 by the Parliament in the year 2002, with a view to provide compulsory pre-litigative mechanism for conciliation and settlement of disputes relating to 'Public Utility Services'. Several States have since established Permanent Lok Adalats under Chapter VI-A. Activities of NALSA

- Initiative on Supporting the National Rural Employment Guarantee Scheme through State Legal Services Authorities & Interaction on Implementation of National Rural Employment Guarantee Scheme was

organized on 2nd October, 2008 at Vigyan Bhawan, New Delhi by National Legal Services Authority in association with Ministry of Rural Development, Govt. of India. The Initiative was inaugurated by Dr. Manmohan Singh, Hon'ble Prime Minister of India in the presence of Hon'ble Mr. Justice K.G. Balakrishnan, Chief Justice of India.

- **National Legal Aid Week** was observed for the mentally challenged people throughout the country on the occasion of World Mental Health Day – 10th October, 2008.
- National Legal Aid Week from 9th November to 16th November, 2008 was observed throughout the country on the occasion of National Legal Literacy Day – 9th November, 2008. A number of Legal Aid Programmes were organized during the Week.
- **Children's Day** was celebrated on 14th November 2008 at Supreme Court Lawns, New Delhi. Hon'ble the Chief Justice of India and other Hon'ble Judges of the Supreme Court interacted with the children, rescued from bonded labour.
- **A Colloquium on Justice Delivery in Human Trafficking Crimes** for Judicial Officers Prosecutors and Police Officers was organized on 15th November 2008 in association with UNODC. Hon'ble the Chief Justice of India inaugurated the Colloquium.
- The Union Cabinet has approved the proposal to provide free legal services to the senior citizens (whose income does not exceed Rs. 1.2 lacs per annum), dependent family members of security personnel who die in terrorist or extremist violence and victims of terrorist and extremist violence as well as riots.
- The Maharashtra State Legal Services Authority has been directed to provide free legal aid to the victims of 26/11 Mumbai terrorist attack.
- **A National Seminar on Marriage Laws – Issues & Challenges** was organized in association with National Commission for Women, Delhi Legal Services Authority and All India Federation of Women Lawyers on 31st January, 2009.
- **4th Supreme Court Lok Adalat** was organized by the National Legal Services Authority on 7th February, 2009 at

Supreme Court for settlement of cases pending in the Supreme Court. 21 cases including matrimonial cases were settled in the said Lok Adalat. Delhi Mediation Centre in Delhi High Court assisted the settlement of matrimonial cases.

- A National Seminar on “Maintenance and Welfare of Parents and Senior Citizens Act, 2007” on 21st February, 2009. Hon'ble the Chief Justice of India inaugurated the Seminar. Mrs. Meira Kumar, the then Hon'ble Union Minister for Social Justice & Empowerment, Govt. of India delivered the Keynote Address and Hon'ble Dr. Justice Arijit Pasayat, the then Executive Chairman, NALSA presided over.
- As per the directions of the National Legal Services Authority, the State Legal Services Authorities observed National Legal Aid Week for women during 8-15 March, 2009 and organized various legal aid programmes on the occasion of International Women's Day.
- The National Legal Services Authority organized the **7th All India Meet of the State Legal Services Authorities during 28-29 March, 2009 at Bangalore, Karnataka.** Hon'ble the Chief Justice of India inaugurated the Meet.

As per the direction of NALSA, a month long 'Brihat Lok Adalat' for settlement of motor accident claim cases was conducted in the Karnataka State. 26,000 cases were settled. Compensation amount were distributed on 28th March in a mega function presided over by the Hon'ble Chief Justice of India and Hon'ble Executive Chairman, NALSA.

- **5th Supreme Court Lok Adalat** was organized by the National Legal Services Authority on 25th April, 2009 at Supreme Court. 45 cases including matrimonial cases were settled in the said Lok Adalat. Delhi Mediation Centre in Delhi High Court assisted the settlement of matrimonial cases.

- As per the direction of the National Legal Services Authority, all the State Legal Services Authorities observed National Legal Aid Week for Labourers from 1st to 7th May 2009 on the occasion of “May Day”.
- **A National Seminar on “Right to Education”** in association with Delhi Legal Services Authority was organized on 16th May. The Seminar was inaugurated by Hon'ble the Chief Justice of India.
- On the directions of NALSA, the State Legal Services Authorities observed the World Day against Child Labour on 12th June, 2009 and a week long campaign against Child Labour during 12-18 June, 2009.
- A Conclave of the Hon'ble Executive Chairpersons and Member Secretaries of the State Legal Services Authorities was organized on 11th July, 2009 at Vigyan Bhawan, New Delhi. The Conclave was chaired by Hon'ble Mr. Justice S.B. Sinha, the then Executive Chairman, NALSA.
- A Conference of the Hon'ble Executive Chairpersons and Member Secretaries of the State Legal Services Authorities, Finance Secretaries and Law Secretaries of the State Governments was organized on 12th July, 2009 at Vigyan Bhawan, New Delhi. The Conference was chaired by Hon'ble the Chief Justice of India.
- **A National Seminar on Unorganised Workers' Social Security Act, 2008** was organized on 12th July, 2009 at Vigyan Bhawan, New Delhi. The Seminar was inaugurated by Hon'ble Mr. Justice K.G. Balakrishnan, Chief Justice of India. Dr. M. Veerappa Moily, Hon'ble Union Law Minister delivered the special address. Shri Mallikarjun Kharge, Hon'ble Union Minister for Labour and Employment delivered the Key Note Address. Hon'ble Mr. Justice S.B. Sinha, the then Executive Chairman presided over the function.

National Legal Services Authority

Statement Showing the Number of Persons Benefitted through Legal Aid and Advice

(As on 30.06.2009)

S. No.	State	SC	ST	BC	Women	Children	In custody	General	Total
1	Andhra Pradesh	6,050	5,358	9,018	6,879	286	3,517	25,156	56,264
2	Arunachal Pradesh	161	1,379	78	321	4	18	1,522	3,483
3	Assam	29,101	20,270	4,369	18,628	1,209	510	83,454	157,541
4	Bihar	4,064	1,386	6,636	5,829	831	1,024	15,443	35,213
5	Chhattisgarh	2289	2993	2136	2661	31	13336	5044	28,490
6	Goa	50	2	312	768	41	1,755	788	3,716
7	Gujrat	9,635	6,017	339	18,735	438	5,106	29,650	69,920
8	Haryana	1,122	90	839	2,695	335	17,742	10,427	33,250
9	Himachal Pradesh	604	116	1	2,465	96	112	3,572	6,966
10	Jammu & Kashmir	873	256	807	14,415	686	204	8,066	25,307
11	Jharkhand	515	730	344	799	144	614	2,072	5,218
12	Karnataka	7,629	2,051	19,938	11,104	178	113	80,759	121,772
13	Kerala	616	137	618	4,118	298	7,163	136,172	149,122
14	Madhya Pradesh	252,673	216,348	129,324	54,871	2,678	33,788	584,111	1,273,793
15	Maharashtra	28,854	17,442	5,781	61,787	1,308	12,937	556,869	684,978
16	Manipur	-	18	-	70	12	-	2,352	2,452
17	Meghalaya	93	241	21	16	-	12	142	525
18	Mizoram	233	19,338	2,476	2,487	351	2,126	5,811	32,822
19	Nagaland	438	1,230	461	418	158	557	116	3,378
20	Orissa	30,081	19,955	305	30,097	450	1,198	34,653	116,739
21	Punjab	7,384	516	4,383	5,803	553	18,696	18,354	55,689
22	Rajasthan	16,054	24,454	5,520	13,976	556	11,136	20,144	91,840
23	Sikkim	65	226	29	1,164	145	1,472	414	3,515
24	Tamil Nadu	173,309	22,327	84,803	338,869	2,181	16,540	1,293,004	1,931,033
25	Tripura	353	304	85	2,586	6	266	3,011	6,611
26	Uttar Pradesh	791,875	101,880	628,387	373,525	139,826	16,509	2,538,688	4,590,690
27	Uttarakhand	2,678	1,562	252	3,064	1,805	679	18,170	28,210
28	West Bengal	4,082	1,783	1,976	13,498	716	5,721	11,219	38,995
29	And. & Nico. Islands	-	-	-	116	-	13	386	515
30	U.T. Chandigarh	47	4	1	539	17	4,048	246	4,902
31	D & Nagar Haveli	-	-	-	-	-	-	1	1
32	Daman & Diu	-	-	-	-	-	-	-	-
33	Delhi	4,158	263	335	26,835	182	59,237	57,042	148,052
34	Lakshadweep	-	1	-	-	-	-	2	3
35	Puducheery	13,190	36	7,176	10,123	3,285	663	2,363	36,836
36	Supreme Court LSC	1,001	225	1,708	1,663	21	4,264	9,016	17,898
	TOTAL :	1,389,277	468,938	918,458	1,030,924	158,827	241,076	5,558,239	9,765,739

National Legal Services Authority

Statement Showing the no. of Lok Adalats held, Cases Settled,
Mact Cases Settled & Compensation Paid in MACT cases
(as on 30.06.2009)

S. No.	State	No. of Lok Adalats held	No. of MACT Cases Settled	No. of Cases Settled (including MACT Cases)	Compensation Paid in MACT Cases (in Rs.)
1	Andhra Pradesh	110,987	95,649	1,170,804	7,277,582,591
2	Arunachal Pradesh	303	464	3,584	30,137,176
3	Assam	3,349	20,538	176,263	1,007,487,424
4	Bihar	14,478	60,077	621,952	750,034,438
5	Chhattisgarh	5,460	6,395	60,710	445,761,598
6	Goa	512	5,188	7,381	292,930,559
7	Gujarat	89,110	163,323	5,830,033	8,847,890,755
8	Haryana	11,002	32,076	1,034,483	2,836,189,114
9	Himachal Pradesh	4,511	3,379	81,368	402,284,798
10	Jammu & Kashmir	2,388	6,801	77,842	1,240,069,974
11	Jharkhand	8,037	2,597	95,426	371,533,933
12	Karnataka	29,650	117,148	908,738	5,034,571,622
13	Kerala	17,296	106,329	237,350	4,035,711,794
14	Madhya Pradesh	29,694	98,043	1,962,935	6,735,592,961
15	Maharashtra	24,069	70,144	558,590	7,557,072,403
16	Manipur	43	1,170	1,185	57221500
17	Meghalaya	72	903	5,648	95,709,493
18	Mizoram	1,112	240	1,066	6,094,080
19	Nagaland	23	844	1,560	86954714
20	Orissa	9,911	37,192	3,550,396	2,095,875,157
21	Punjab	10,528	16,234	835,247	1,328,494,684
22	Rajasthan	85,830	588,225	2,031,171	3,966,990,776
23	Sikkim	676	157	2,728	9,101,000
24	Tamil Nadu	231,366	131,574	402,236	11,510,980,381
25	Tripura	398	726	9,508	46144396
26	Uttar Pradesh	30,573	67,366	7,063,215	4,967,623,068
27	Uttarakhand	724	3,104	111,487	258,601,010
28	West Bengal	13263	31098	119910	1987926797
29	And. & Nico. Islands	151	24	1,763	3736468
30	U.T. Chandigarh	2,509	11,072	96,442	826,005,482
31	D & Nagar Haveli	5	92	700	8490699
32	Daman & Diu	4	28	135	0
33	Delhi	8,451	16,672	280,551	2,754,435,364
34	Lakshadweep	18	7	66	435000
35	Puducherry	595	7,435	12,961	228,244,965
36	SCLSC	5	44	156	-
	TOTAL :	747,103	1,702,358	27,355,590	77103916174

National Legal Services Authority

Statistical Information regarding number of Pre-Litigation Cases;
Post Litigation Cases Legal Literacy Camps held; Statewise
(as on 30.06.2009).

Sl. No.	Name of State Legal Services Authority	Pre-Litigation Cases	Post Litigation Cases	Legal Literacy Camps
1	Andhra Pradesh	133650	348665	18960
2	Arunachal Pradesh	2169	336	228
3	Assam	30133	29878	341
4	Bihar	256531	148914	7723
5	Chhattisgarh	2548	54400	46325
6	Goa	548	1315	787
7	Gujarat	484124	2464977	158230
8	Haryana	18466	576168	6898
9	Himachal Pradesh	17	14756	547
10	Jammu & Kashmir	6085	50795	313
11	Jharkhand	16575	51735	3081
12	Karnataka	8678	217257	16190
13	Kerala	61796	67053	4200
14	Madhya Pradesh	174717	607704	11584
15	Maharashtra	58285	199898	11254
16	Manipur	0	0	46
17	Meghalaya	140	751	48
18	Mizoram	544	247	76
19	Nagaland	209	365	36
20	Orissa	92265	707261	4185
21	Punjab	93198	525924	1875
22	Rajasthan	15012	195546	37289
23	Sikkim	575	731	300
24	Tamil Nadu	143546	84410	18427
25	Tripura	2917	5299	1712
26	Uttar Pradesh	53721	1860142	47247
27	Uttarakhand	806	52202	355
28	West Bengal	36575	65329	2147
29	And. & Nico. Islands	330	220	73
30	U.T. Chandigarh	9693	20565	284
31	D & Nagar Haveli	237	53	6
32	Daman & Diu	-	-	-
33	Delhi	131668	135037	518
34	Lakshadweep	14	4	6
35	Puducherry	18671	527	484
	Total	1854443	8488464	401775

SUPREME COURT LEGAL SERVICES COMMITTEE

The Supreme Court Legal Services Committee is a Statutory Body constituted under Section 3A of the Legal Services Authority Act, 1987. The functions of the Committee are regulated by the Supreme Court Legal Services Committee Regulations, 1996 and Supreme Court Legal Services Committee Rules, 2000.

It is headed by a sitting Hon'ble Judge of the Supreme Court as its Chairman and has nine other distinguished members in its Executive Body.

The Committee provides legal aid free of cost to eligible litigants whose income does not exceed Rs.50,000/- per annum. There is, however, no income bar for litigants belonging to SC/ST, convicts, women, children, handicapped and litigants engaged in matters relating to Industrial Disputes, etc. as defined in the Act. The grant of legal aid to the litigants is subject to eligibility and merits of the case.

Any person desirous of availing legal aid through the Committee has to make an application to the Secretary, Supreme Court Legal Services Committee. At present, the Committee has on its roll 161 Advocates-on-Record and 12 Senior

Advocates. The Senior Advocates are rendering free legal services to the Committee.

The Committee has its own website, namely, <http://www.sclsc.nic.in>. The queries of the litigants are also being answered through E-Mail i.e. sclsc@nic.in. The Committee is also in touch with the NIC to prepare a Web-based Software, which would enable a litigant to enquire the status of his/her application, pending with the Supreme Court Legal Services Committee as well as to download or make On-line submission of application to the SCLSC from all over the country. The website of the Committee is also to be linked to the website of the Tihar Jail to facilitate the convicts lodged in the jail to download the Application forms for Legal Services, Affidavits and Vakalatnama for the purpose of filing the petition in the Supreme Court.

The expenditure to be incurred towards the establishment and the legal services programme is being funded by the Government of India by way of grant-in-aid.

Statistical information with regard to the implementation of Legal Services Programme in the Supreme Court Legal Services Committee for the period 01.10.2008 to 30.09.2009 is given below:

1.	Total Number of applications received.	1458
2.	Number of applicants advised to approach the appropriate forum for relief.	67
3.	Number of cases approved for direct Filing viz. Respondent/302 I.P.C./Court Directed matters.	757
4.	Number of applications referred to the Screening Panel Advocates to ascertain whether the matter is worth prosecuting before the Supreme Court.	634
5.	Number of applications rejected being not found fit for Filing by the Screening Panel Advocates.	188
6.	Number of cases pending with the Screening Panel for legal opinion.	10
7.	Number of cases approved for Filing appropriate petitions in the Supreme Court.	436
8.	Total Number of cases sent for Filing.	1193
9.	Number of cases disposed of by the Supreme Court.	126
10.	Number of cases withdrawn by the Applicants.	20
11.	Number of cases pending for disposal before the Hon'ble Supreme Court	1047
12.	Number of correspondence received during the period.	11731
13.	Number of correspondence dispatched during the period.	8352

The Special emphasis on the activities of the Supreme Court Legal Services Committee are hereunder:-

MEDIATION RELATED ACTIVITIES

The Supreme Court Legal Services Committee in association with the Indian Law Institute and Mediation and Conciliation Project Committee organized a training programme during 10th - 12th April 2009 and also 17th - 19th April 2009 at Indian Law Institute to impart 40 hours Mediation Training to the 20 Supreme Court Advocates. The said training programmes were inaugurated by Hon'ble Mr. Justice S.B. Sinha in the presence of Hon'ble Mr. Justice R.V. Raveendran, Judge, Supreme Court of India and various other dignitaries.

MEDIATION CENTRE

Hon'ble the Chief Justice of India in the presence of Hon'ble Mr. Justice S.B. Sinha (then Executive Chairman, National Legal Services Authority), Hon'ble Mr. Justice Tarun Chatterjee, (then Chairman, Supreme Court Legal Services Committee) and various other Supreme Court's Judges and other dignitaries inaugurated the Mediation Centre at 110 Lawyers' Chambers (R.K. Jain Block), Supreme Court of India on 6th August 2009. Hon'ble the Chief Justice awarded Certificate to the Mediators who have successfully completed the ten Mediations.

JAIL PROJECT

In order to spread awareness about the Legal Aid and to fulfil the commitment of legal aid campaign for providing justice to all, a Jail Project under the guidance of Hon'ble Mr. Justice S.B. Sinha was envisaged under the aegis of Supreme Court Legal Services Committee and in association with the

respective State Legal Services Authorities and / or High Court Legal Services Committee.

The first phase of the said campaign was started in Tihar jail wherein the inmates were briefed about their rights for free legal aid at Supreme Court through the Supreme Court Legal Services Committee and Law Faculty, Delhi University.

SUPREME COURT MIDDLE INCOME GROUP LEGAL AID SOCIETY

1. The Supreme Court Middle Income Group Legal Aid Society has been constituted under the Societies Registration Act to provide partial legal service to the poorer section of the Society whose gross annual income does not exceed Rs.3,00,000/-. The function of this Society is confined to the jurisdiction of the Supreme Court of India. The Society has been recognized vide Regulation 3 (4) of the Supreme Court Legal Services Committee Regulations, 1996, which was framed pursuant to Section 29 of the Legal Services Authorities Act, 1987 and is a totally self-funded scheme whereby the applicant pays the fees of the Advocates and the Senior Advocates but at a highly reduced fee structure unlike the normal fees.
2. The Society is headed by a sitting Hon'ble Judge of the Supreme Court of India as its President and its governing body consists of 11 members, including the President and the Attorney General as the ex-officio vice-President. The Society maintains a panel of advocates, including Advocates-on-Record and Senior Advocates, who are willing to take up cases assigned by the Society.



Official Publications



SUPREME COURT REPORTS

1. Supreme Court Reports is the official Reporter of the Supreme Court judgments. Under Section 3 of the Indian Law Reports Act, 1875, only the authorized Reports are to be cited in Courts. The work relating to Supreme Court Reports is governed by the Supreme Court (Council of Law Reporting) Rules, 1964. The headnotes of the judgments are prepared by Editorial Officers and are approved by the Hon'ble Judges. The Supreme Court Reports are published under the supervision of the Supreme Court Council of Law Reporting consisting of Hon'ble the Chief Justice of India, two Hon'ble Judges of the Supreme Court nominated by Hon'ble the Chief Justice of India, Attorney General for India and an Advocate nominated by the Executive Council of the Supreme Court Bar Association. From 2007 onwards, SCR is published in running volumes, each consisting of 4 parts of about 300 pages each and a Volume Index. Besides circulation within the country, it is sent on reciprocal basis to many Commonwealth and other countries.

For the year 2009, as on 30-9-2009, 11 Volumes have been published covering judgments upto 31st July, 2009.

SUPREME COURT RULES

2. Supreme Court Rules, 1966: Under Article 145(1) of the Constitution of India, Hon'ble the then Chief Justice of India with the approval of the President of India has formulated Supreme Court Rules, 1966, which regulate the procedure to be followed in working on the judicial side of the Registry. An authentic and official updated edition of the

Rules has been published by the Supreme Court of India.

3. Supreme Court Officers and Servants (Conditions of Service and Conduct) Rules, 1961: For the convenient transaction of all the official dealings, including the conditions of service and conduct of the Court servants, the Hon'ble Chief Justice of India with the approval of the President framed the Service Rules of 1961. The provisions of these rules regulate appointments, responsibilities, conditions of service, conduct & discipline etc. of Officers and employees of the registry of the Court and are enforced by the Secretary General.

OTHER PUBLICATIONS

4. ANNUAL REPORTS 2003-2004, 2004-2005, 2005-2006, 2006-2007 and 2007-2008: Supreme Court has been publishing its Annual Reports on regular basis from 2003-2004 onwards, releasing it on Law Day (26th November) each year. Thus, five Annual Reports have thus far been issued, the last being the fifth Annual Report for 2007-2008.
5. COURT NEWS: To promote transparency, accountability and to provide free flow of information, Supreme Court of India started publication of 'Court News', a quarterly news letter. Besides figures of institution, pendency and disposal of cases as well as vacancy position in Courts at all levels, it also contains a gist of judgments of public importance delivered by the Supreme Court of India in the last quarter. It is sent free of cost to all High Courts, Bar Associations, Law Colleges and Government Departments etc. and is also available on the website of Supreme Court.

6. **HANDBOOK OF INFORMATION:** A Hand Book of information on Practices and Procedures, being followed in Supreme Court, including (i) classification of jurisdiction, (ii) limitation and Court Fee, (iii) procedure for filing of cases, allocation of Benches, listing of cases & preparation of cause-lists, (iv) guidelines on Public Interest Litigation & Jail Petitions, (v) supply of copies & inspection of record, (vi) legal aid and advice, (vii) information available

on internet, and (viii) allocation of work amongst different sections including particulars of the officers concerned with each Section has been published for convenience of the Advocates as well as litigants.

7. **Headnotes:** Updated "Head Notes of Leading Cases" are published regularly for exclusive use in Advocates-on-Record Examination.



Chief Justice's Chamber

Court & Media

1. The media is allowed to observe the proceedings of the Supreme Court and report in various newspapers and other national news agencies. In view of the importance of the proceedings and need for proper comprehension and correct presentation to the public and to ensure accuracy of reporting, certain criteria have been prescribed for accreditation of Legal Correspondents to the Supreme Court. As per the requirements, Legal Correspondents should have a professional Law Degree with seven years' experience in reporting court proceedings to become eligible for accreditation. Such accredited correspondents are allowed access into all the Court Rooms and are afforded all basic facilities and comfortable working environment in the Press Lounge. They are provided free copies of the daily Cause List of the Courts. Copies of all the judgments are also made available to them. This helps them in identifying the important and sensitive cases and to report the judgments and orders correctly.
2. Supreme Court attaches great importance to the role of media complementary to that of judicial organ in a democratic polity. In order to strengthen this partnership, Court took certain initiatives for mutual benefit.

Residential Training Course on "Reporting of Court Proceedings by Media and Administration of Justice" for Legal Correspondents/Journalists

The Supreme Court of India, the National Legal Services Authority and Indira Gandhi National Open University in association with Press Council of India and Editors Guild of India and with the academic support from Indian Law Institute organized a five day long Residential Training Course on Reporting of

Court Proceedings by Media and Administration of Justice for Legal Correspondents/Journalists at Indira Gandhi National Open University (IGNOU) from 7th to 11th of December, 2008. The Hon'ble Chief Justice of India was the Chief Guest and Hon'ble Dr. Justice Arijit Pasayat, Judge, Supreme Court of India (since retired), the then Chairman, National Legal Services Authority presided over both the inaugural and valedictory functions.

The objectives of the training were to have better understanding of the importance and responsibilities of media; familiarity with the technical terms and practices in court proceedings; promoting a dialogue in order to evolve good practices in law reporting; identifying limits and limitations when reporting court proceedings; analyzing few case studies on abuse of freedom to know the context and consequences; evolving mutually acceptable strategies in serving the cause of justice and rule of law while exercising freedom of press; examining adoption of suitable mechanisms which can best deal with aberrations and willful violations of recommended code of practice; and developing a trained cadre of court reporters in media establishment. For fulfilling the above objectives, the training focused the following thrust areas in the technical sessions viz., Identification of issues and concerns; Law and practice in testing reasonableness of restrictions on reporting matters sub-judice; Disrespect in reporting; Trial by media; Professional ethics and existing methods of enforcement in media; Towards developing a self-executing code of good practices in reporting of judicial proceedings etc. In all, eleven technical sessions were held with the interaction of judges from Supreme Court and High Court, senior lawyers, senior editors and bureau chiefs of print and electronic media and representatives of media regulatory bodies.







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