



# Supreme Court Chronicle



Issue II | Constitution Day Edition | December 2023

## Highlights

- Constitution Day Celebrations
- A Conversation with Justice Sanjay Kishan Kaul
- Chief Justices' Roundtable on Equal Access to Justice for All in the Global South
- Oath Ceremony on 9 November 2023
- Inauguration of Mitti Cafe: Fostering Inclusivity



DR B R AMBEDKAR (1891-1956)  
UNVEILED BY  
HON'BLE SMT DROUPADI MURMU  
PRESIDENT OF INDIA  
IN THE PRESENCE OF  
DR JUSTICE DHANANJAYA Y CHANDRACHUD  
CHIEF JUSTICE OF INDIA  
AND  
COMPANION JUDGES OF  
THE SUPREME COURT OF INDIA



It gives me great pleasure to introduce the special Constitution Day edition of *Supreme Court Chronicle*. On 26 November 2023, the Supreme Court of India celebrated Constitution Day to honour the adoption of our Constitution on 26 November 1949. We also commemorated a century since Dr B R Ambedkar, the architect of our founding charter, was enrolled as an Advocate in the Bombay High Court. The Supreme Court honoured the legacy of Dr Ambedkar by installing a statue of him, dressed in legal attire with the Constitution in hand, right in front of the Court. The Honourable President unveiled the statue in the front lawn on Constitution Day as part of a larger celebration to mark this momentous occasion.

In this issue, readers will learn more about the special Constitution Day celebrations, and the initiatives launched by the Court on this occasion. These include a webpage dedicated to Babasaheb and e-SCR (Hindi) through which over 21,867 reported judgments of the Supreme Court have been translated into Hindi and placed in the public domain, free of cost. Readers will also hear from my senior colleague, Justice Sanjay Kishan Kaul, who met with the *Supreme Court Chronicle* for a candid conversation about his journey, both professional and personal. As always, the newsletter is full of interesting information about the Court— from new judgments and recently published reports about the state of the judiciary and its infrastructure, to judicial engagements beyond the courtroom and the stories of our staff.

My thanks to the Centre for Research and Planning and the Judges' Library for their work in preparing this issue.

**Dr Justice D Y Chandrachud**  
Chief Justice of India



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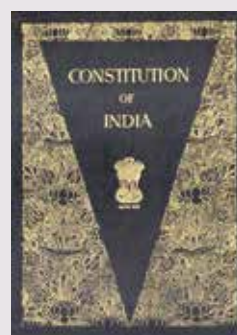


# Supreme Trivia

Did you Know?



The drafting process of the Indian Constitution in 1946 stirred nationwide interest. Advocates, students, homemakers, and postmasters flooded the Constituent Assembly with a deluge of telegrams, postcards, and petitions, making demands and offering suggestions for the draft Constitution.



The original copies of the Indian Constitution were written in Hindi and English. The 284 members of the Constituent Assembly who participated in the preparation of the Constitution signed two copies, one in Hindi and the other in English. There are a total of 1,17,369 words in the English version of the Constitution of India.

# Fresh from the Bench

## *Union of India v Dilip Paul, 2023 INSC 975* *Preventing Sexual Harassment at the Workplace*

On 6 November 2023, a bench comprising of the Chief Justice of India, Dr D Y Chandrachud, Justice J B Pardiwala, and Justice Manoj Misra, emphasised the gravity of addressing sexual harassment at the workplace and preventing leniency towards the accused. Authored by Justice Pardiwala, the judgment discusses the scope of judicial review in disciplinary proceedings, cautions against dismissing allegations based on minor technicalities and urges a comprehensive evaluation of each case. Notably, it clarifies the role of the Complaints Committee in restricting the direct cross-examination of complainants,

while affirming their right to pose questions through the Committee Chairperson. The Court also upheld the admissibility of relevant evidence, including second complaints in disciplinary proceedings, emphasising fair play and the evaluation of probative material. Additionally, it highlighted that the absence of a plea or defence by the accused does not automatically vitiate the inquiry proceedings. Rather, in cases of non-compliance with procedural law, the courts must apply the well-settled ‘test of prejudice’ to ascertain whether such procedural violation resulted in prejudice to the accused.

## *Manjunath v State of Karnataka, 2023 INSC 978* *Dying Declarations under the Evidence Act, 1872*

On 6 November 2023, a bench of Justice Abhay S Oka and Justice Sanjay Karol expounded the nuances of dying declarations under Section 32 of the Indian Evidence Act, 1872. The Court highlighted that the circumstances mentioned in a dying declaration must have some proximate relation to the actual occurrence of death. It held that if a dying declaration is found reliable and satisfactory by a court, it can be the sole basis for conviction, even without corroboration. Further, the Court noted that although the

deceased’s mental state (typically supported by medical evidence) while making the statement is crucial, witness testimony about the deceased’s lucidity holds precedence over medical reports. The absence of a doctor’s certificate does not inherently discredit the declaration. The judgment emphasised that the reliability, not the plurality of such statements determines their evidentiary value and stressed the importance of examining the individual who commits the declaration to writing.

***Priya Indoria v State of Karnataka, 2023 INSC 1008***  
*Addressing the Scope of Transit Anticipatory Bail*

On 20 November 2023, a bench of Justice B V Nagarathna and Justice Ujjal Bhuyan, addressed the scope of granting transit anticipatory bail when an FIR is filed outside a state's territorial jurisdiction. The bench allowed Session Courts and High Courts to grant limited interim anticipatory bail in exceptional cases until full-fledged anticipatory bail could be sought from the appropriate court. It differentiated between regular anticipatory bail and transit anticipatory bail, emphasising that the latter is only an interim protection for a limited time period and must be based on explicit reasons

and compelling circumstances. Cautioning against forum shopping, the Court emphasised the need for proximity between the accused and the jurisdiction of the Court approached for such relief. It also underscored the need for notifying the public prosecutor and investigating officer before granting transit anticipatory bail. Transit anticipatory bail was held permissible when the accused is in a different state for legitimate reasons at the time of the FIR and has a reasonable belief of arrest. However, the Court clarified that regular anticipatory bail could not be sought from a court in a different state.

***Pavana Dibbur v The Directorate of Enforcement, 2023 INSC 1029***  
*Prosecution under the Prevention of Money Laundering Act, 2002*

On 29 November 2023, a bench of Justice Abhay S Oka and Justice Pankaj Mithal addressed key aspects of the Prevention of Money Laundering Act, 2002 (PMLA). First, it clarified that a person prosecuted under Section 3, PMLA need not necessarily be implicated in the scheduled offence, rather such person could be prosecuted for an offence under Section 3 if he assisted in the concealment or use of proceeds of crime of the scheduled offence. In a given case, if the prosecution for the scheduled offence ends in

the acquittal or discharge of the accused or the proceedings of the scheduled offence are quashed in their entirety, no one can be prosecuted for the offence punishable under Section 3. Second, the Court interpreted the Schedule to the PMLA and held that an offence punishable under Section 120B of the Indian Penal Code, 1860 (IPC), 'criminal conspiracy,' can only be considered a scheduled offence if the alleged conspiracy involved committing an offence enumerated in the Schedule.



*The President of India, the Chief Justice of India, Judges of the Supreme Court, the Minister of State, Law and Justice (I/C), the Attorney General for India, and the Solicitor General of India on Constitution Day*

# Constitution Day Celebrations



The Supreme Court celebrated the adoption of the Indian Constitution on 26 November 2023. The celebrations began with the unveiling of a 7 foot-tall bronze statue of Dr B R Ambedkar on the front lawn by the President, Smt Droupadi Murmu in the presence of the Chief Justice of India, Dr D Y Chandrachud and Judges of the Supreme Court. The work of sculptor Naresh Kumavat, the statue honours the architect of the Constitution and captures Baba Saheb in a lawyer's gown, holding a copy of the Constitution in his hand.

*From left to right: The Chief Justice of India, Dr D Y Chandrachud, the President of India, Smt Droupadi Murmu, the Minister of State, Law and Justice (I/C), Arjun Ram Meghwal, and Ms Kalpana Das*



*From left to right: The Attorney General R Venkataramani, Justice Sanjiv Khanna, the Chief Justice of India, Dr D Y Chandrachud, the President of India, Smt Droupadi Murmu, Justice Sanjay Kishan Kaul, the Minister of State, Law and Justice (I/C), Arjun Ram Meghwal, and President, Supreme Court Bar Association, Dr Adish C Aggarwala*

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As we celebrate Constitution Day, we should note that the Constitution is after all only a written document. It comes alive and remains alive only if its contents are put into practice. That requires the exercise of interpretation. I must congratulate the Supreme Court for playing the role of the final interpreter of our founding document to perfection. Well aware of their role and responsibility in India's democracy, this Court's Bar and Bench have constantly raised the standards of jurisprudence. Their legal acumen and scholarship has been par excellence. Like our Constitution, our Supreme Court too has been a model for many other nations. With a vibrant judiciary, I am sure the health of our democracy is never going to be a cause of concern.

*—The President of India, Smt Droupadi Murmu on Constitution Day*

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Screenshot of judgments on e-SCR (Hindi)

During the celebrations, the Chief Justice of India, Dr D Y Chandrachud explained the significance of the occasion:

*Our Constitution has allowed us to take the unbridled passions and energy of the people, and streamline them through institutional structures of government. So when we say today, that we honour the adoption of the Constitution, first and foremost, we honour the fact that the Constitution ‘exists,’ and secondly, that the Constitution ‘works’.*

The Chief Justice underscored the role of technology in bringing citizens closer to justice, and shared the Court’s use of artificial intelligence and machine learning to translate judgments into regional languages. The Chief Justice also announced the launch of e-SCR (Hindi), FASTER 2.0 and the Annual Report 2022–2023.

e-SCR (Hindi) made available over 21,867 reported Supreme Court judgments (as on 6 December 2023) in Hindi. FASTER 2.0 is an upgraded version of a criminal justice initiative that ensures that judicial orders of release are immediately transferred to jail authorities and to District and High Courts electronically. By facilitating a timely release, FASTER ensures that prisoners do not languish in jail unnecessarily.

The Chief Justice concluded his address by assuring the citizens of India that the doors of the “people’s court” are always open to them:

“मैं आज संविधान दिवस के मौके पर भारत के लोगों से कहना चाहता हूँ कि सुप्रीम कोर्ट के दरवाजे आपके लिए हमेशा खुले रहे हैं और आगे भी खुले रहेंगे। आपको कोर्ट आने से डरने की कभी भी जरूरत नहीं है।”

The Supreme Court of India releases its Annual Report to illuminate the intricacies of justice delivery at the apex court to all stakeholders. The publication of the Annual Report is an effort to bolster transparency, and reinforce the accountability of the highest court of justice. This year’s Report titled ‘Indian Judiciary: Annual Report 2022–2023,’ is divided into two volumes. The first covers the Supreme Court, and the second covers the High Courts. The first copy of the Annual Report was presented to the President on Constitution Day.







*From left to right: The Chief Justice of India, Dr D Y Chandrachud and the President of India, Smt Droupadi Murmu planting saplings in the front lawn of the Supreme Court along with the Minister of State, Law and Justice (I/C), Arjun Ram Meghwal and Ms Kalpana Das*



*From right to left: The Chief Justice of India Dr D Y Chandrachud greeting Justice Hima Kohli, Justice Bela M Trivedi, Justice Pankaj Mithal, Justice Ahsanuddin Amanullah and the Solicitor General Tushar Mehta at the unveiling ceremony of Dr B R Ambedkar's statue on Constitution Day*



*From left to right: The President of India, Smt Droupadi Murmu, Ms Kalpana Das, the Chief Justice of India, Dr D Y Chandrachud, the Minister of State, Law and Justice (I/C), Arjun Ram Meghwal and Judges of the Supreme Court paying tribute to Dr Ambedkar on Constitution Day*



*The President of India, Smt Droupadi Murmu taking a stroll around the fountain in the front lawn with the Chief Justice of India, Dr D Y Chandrachud, the Minister of State, Law and Justice (I/C), Arjun Ram Meghwal, Ms Kalpana Das, Secretary General Atul M Kurhekar and officers of the Registry*



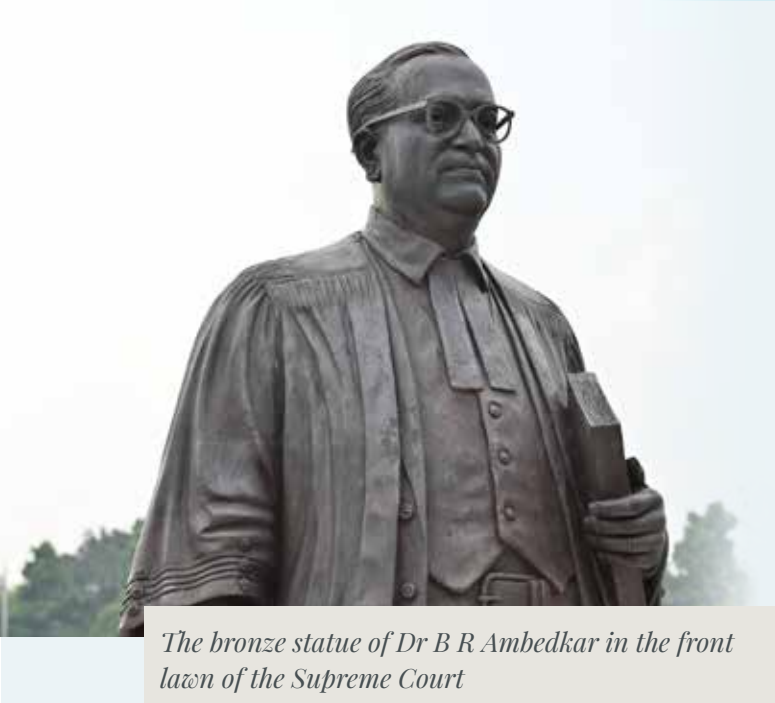
*From left to right: Justice B R Gavai, the Minister of State, Law and Justice (I/C), Arjun Ram Meghwal, and Justice Surya Kant*

During the second half of Constitution Day, three sessions were organised to deliberate crucial matters among the Chief Justice of India, Supreme Court Judges, the Chief Justices of High Courts, and High Court Judges. The sessions included:

### Session I: 100 years of Dr Ambedkar's Law Practice



*From left to right: Justice B R Gavai addressing Session I on Constitution Day, along with the Chief Justice of India, Dr D Y Chandrachud and the Minister of State, Law & Justice (I/C), Arjun Ram Meghwal*



The bronze statue of Dr B R Ambedkar in the front lawn of the Supreme Court

Dr Ambedkar through his practice rose to become one of the leading lawyers of his day. He was offered an appointment as a District Judge, and the Nizam of Hyderabad also offered to make Dr Ambedkar the Chief Justice of the State. However, he ultimately turned these offers down. In his 1951 speech, he explained how such roles would hinder his activities as a social and political reformer. He said,

*When I returned home after completion of my education in America and Europe. I was offered the post of a District Judge. I was promised to be elevated to the High Court within three subsequent years. I declined the offer saying that I did not want those alluring ties. I feared that after getting into government service I would not be able to serve my people.*

2023 marks the 100th anniversary of Dr Bhimrao Ramji Ambedkar’s enrolment as an Advocate in the Bombay High Court. The session began with the launch of a webpage, (available at <https://main.sci.gov.in/AMB/Certificate.php>) dedicated to Dr Ambedkar. Developed by the Judges’ Library at the Supreme Court, the webpage features a short biography and photos of the father of the Constitution. It also provides access to his speeches and publications, and information about the Mahad Satyagraha which he led to protest the prohibition of dalits from a public water tank in Mahad, Maharashtra. Original documents

such as his Gray’s Inn Barrister Certificate and his application for admission as an Advocate to the Bombay High Court are also available on the webpage.

To commemorate Dr Ambedkar’s career as a lawyer, the webpage provides access to the judgments of 29 cases in which Dr Ambedkar appeared. 28 of these cases were argued before the Bombay High Court. One was argued before the Supreme Court. The judgments on the webpage were delivered between 1926 and 1953.

**Centenary of Dr. B.R. Ambedkar's enrolment as an advocate**

Home Certificate Application Cases Mahad Satyagraha Speeches Publications Photo Gallery

CA Speech - 17 Dec 1946

**Dr. Bhimrao Ramji Ambedkar**

Dr. Bhimrao Ramji Ambedkar (1891-1956) was born on 14 April 1891 in Mhow Cantonment, Madhya Pradesh. He completed his primary schooling in Satara, Maharashtra and completed his secondary education from Elphinstone High School in Bombay. His education was achieved in the face of significant discrimination, for he belonged to the Scheduled Caste (then considered as 'untouchables'). In his autobiographical note 'Waiting for a Visa', he recalled how he was not allowed to drink water from the common water tap at his school, writing, "no peon, no water".

Dr Ambedkar graduated from Bombay University in 1912 with a B.A. in Economics and Political Science. On account of his excellent performance at college, in 1913 he was awarded a scholarship by Sayajirao Gaikwad, then Maharaja (King) of Baroda state to pursue his M.A. and Ph.D. at Columbia University in New York, USA. His Master's thesis in 1916 was titled "The Administration and Finance of the East India Company". He submitted his Ph.D. thesis on "The Evolution of Provincial Finance in India: A Study in the Provincial Decentralization of Imperial Finance".

After Columbia, Dr. Ambedkar moved to London, where he registered at the London School of Economics and Political Science (LSE) to study economics, and enrolled in Gray's Inn to study law. However, due to lack of funds, he had to return to India in 1917. In 1918, he became a Professor of Political Economy at Sydenham College, Mumbai (erstwhile Bombay). During this time, he submitted a statement to the Southborough Committee demanding universal adult franchise.

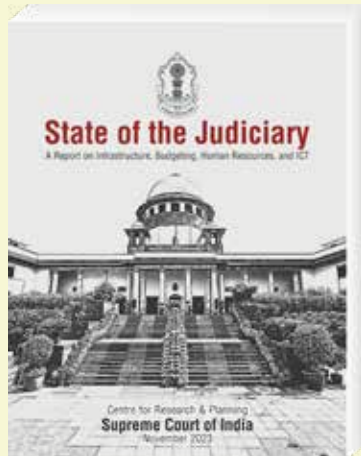
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The official webpage about Dr Ambedkar’s law practice released on Constitution Day

## Session II: State of the Judiciary: Infrastructure, Budgeting, Human Resources, and ICT

The second session began with a presentation on the ‘State of the Judiciary—A Report on Infrastructure, Budgeting, Human Resources and ICT’ prepared by the Centre for Research

and Planning. Mr Anurag Bhaskar and Ms Priya Baranwal of the Centre shared the main findings of the Report.



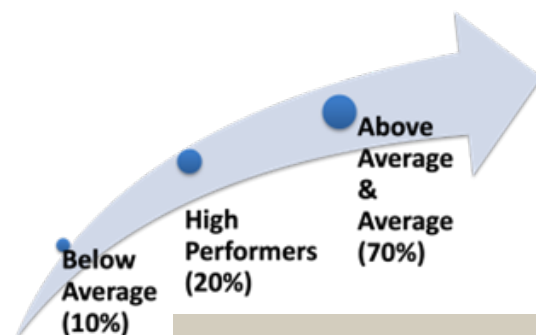
*‘State of the Judiciary: A Report on Infrastructure, Budgeting, Human Resources, and ICT’*

This Report is structured in four parts— Part I on ‘Judicial Infrastructure’, Part II on the ‘Budgeting System for District Judiciary’, Part III on ‘Human Resource Management,’ and Part IV on ‘ICT Enablement of Judiciary’.

Some of the important findings of the Report are:

- The strength of female judges in the district judiciary is increasing substantially. In 14 out of the 16 states examined in the Report, more than 50% of the Civil Judges selected during the last recruitment process were women.
- There is a shortage of 5,300 judges against the sanctioned strength of 25,081 judges in the district judiciary.
- There is a shortage of 4,250 courtrooms and 6,021 residential units for judges in the district judiciary.
- There is a vacancy of 74,524 ( 27% ) staff positions in the district judiciary.
- The judgment in the *Malik Mazhar* case (2008) prescribed a timeline of 273 days for recruitment to the Civil Judge (Junior Division). However, the average time taken by High Courts to complete the last recruitment of judges to the Civil Judge (Junior Division) cadre was 335 days. Public Service Commissions took an average of 436 days to complete the last recruitment.

During the session, Justice Sanjiv Khanna delivered a presentation on ‘Modernising Trial Proceedings,’ and stressed the urgency of using automated tools for trial transcriptions to expedite documentation. For measuring court performance, Justice Khanna proposed the bell curve approach for an objective grading of the performance of district judges.



*The bell curve approach to grade the performance of the district judges*



*Justice Sanjiv Khanna presenting on 'Modernising Trial Proceedings' during Session II on Constitution Day*

### Session III: 'Institutionalising the Use of Technology in Judicial Administration with emphasis on Phase III of e-Courts Project'

Mr Ashish J Shiradhonkar, OSD Registrar (Technology, Innovation & Planning) and Dr Parvinder Singh, Member (Project Management

e-Committee), and Mr S K G Rahate, Secretary Department of Justice, presented during this interactive session.



*From left to right: Justice K V Viswanathan, Justice Surya Kant, the Chief Justice of India, Dr D Y Chandrachud, and Justice P S Narasimha presiding over Session III on Constitution Day*



*The Chief Justice of India, Judges of the Supreme Court and participants of Session III on Constitution Day*

The Chief Justices and Judges of the High Courts contributed to the discussion on a range of topics from challenges in recruitments to the district judiciary and issues concerning pendency. Strategies to prioritise cases for disposal, by considering parameters such as case age, incarceration of the accused, and subject matter were discussed. The importance of police reports in managing case delays was also underscored.

The discussion further focused on issues related to the infrastructure challenges, and the need for constant evaluation and optimization within the judiciary. The maintenance of the qualitative aspect of justice while resolving pendency issues and improving the judiciary's overall efficiency was highlighted.

# Training Hub



*From left to right: Justice Sanjiv Khanna, Justice Sanjay Kishan Kaul, Justice M M Sundresh, Justice P S Narasimha, and other executive members of MCPC launching the first directory of all the mediators in India*

It was a busy month for officers of the Registry at the Court's Training Cell. 44 staff members attended Advance Judicial Training (Batch 5) for Dealing Assistants [SCT007] on 3 November 2023. 72 staff members attended an awareness session on 'Prevention of Sexual Harassment (POSH)' organised in collaboration with the National Commission for Women (NCW) on 4 November 2023. Advance Judicial Training (Batch 6) for Dealing Assistants [SCT007] followed on 10 November 2023.

The Mediation and Conciliation Project Committee (MCPC) of the Supreme Court conducted a 2 day 'Train the Trainers' workshop in collaboration with the Centre for Advanced Mediation Practice (CAMP) and the Foundation for Sustainable Rule of Law Initiatives (FSRI) on 11-12 October 2023. The workshop was inaugurated by Justice Sanjay Kishan Kaul, the Chairman of the MCPC, in the presence of Justice Sanjiv Khanna, Justice M M Sundresh, and Justice P S Narasimha.



*Advance Judicial Training (Batch 5) for Dealing Assistants [SCT007] held on 3 November 2023*



*Training on Prevention of Sexual Harassment (POSH) held in collaboration with NCW on 4 November 2023*



# A Conversation with Justice Sanjay Kishan Kaul

*Justice Sanjay Kishan Kaul at the 36th LAWASIA Conference in Bengaluru on 25 November 2023*

In a candid conversation with the *Supreme Court Chronicle*, Justice Sanjay Kishan Kaul opened up about his work and life beyond the courtroom. In his two decade-long career as a judge, Justice Kaul has served as a Judge of the Delhi High Court, Chief Justice of the Punjab and Haryana High Court and the Madras High Court. He was appointed a Judge of the Supreme Court on 17 February 2017.

Speaking passionately about pressing challenges within the judiciary, Justice Kaul highlighted the burden of extensive case backlogs. His profound concern for litigants' long journeys through the courts underscores the need for a vigilant system to track cases.

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*I've always felt that for the litigant, it doesn't matter whether his appeal is pending or his suit is pending. He is concerned about the fate of what he starts with litigation, or defence of the litigation, from the cradle to the grave. I've been encouraging people to encourage systems to say that you must keep a tab on matters as to when it started. So if an appeal is two years old with the suit itself taking 10 years, the total period is about 12 years.... And I think a great focus is required to clear old matters.*

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Recounting the robustness of American court management, which he observed first-hand during an exchange programme organised by the Department of Justice, Justice Kaul stressed the significance of efficient trial scheduling, advocating for a strategic approach that prioritises the management of court calendars to ensure timely proceedings. Justice Kaul also offered advice for young lawyers,

*The development of the Bar is also a judge's responsibility. Sometimes, I advise younger individuals against a tendency to criticise judges or senior lawyers. I urge them instead to observe, to sit in and truly see what a lawyer presents in court. Is there something unique in their approach? By attending court proceedings, one gains first-hand experience of these nuances—something we ourselves used to do. Rather than critiquing over coffee in a canteen, there's value in acknowledging and learning from what sets someone apart which is worth learning.*

Excerpts from the interview follow:

***What would you say to lawyers who are thinking about becoming judges?***

**J. Kaul:** I believe a judge should aim to embody a well-rounded individual and assimilate various facets of life. I recall Mr Fali Nariman expressing a similar sentiment— having an extensive understanding beyond legal readings is crucial for being a good judge. It's not solely about reading habits, but also habits that relax the mind. If a judge's mind isn't at ease, it not only affects their work but also impacts their

health. Thus, a judge should work in a relaxed manner, constantly seeking knowledge from diverse sources. Writing as a judge feels akin to leaving a personal signature. I take pleasure in expressing myself in my own language and style. Each of us possesses a distinctive approach. For instance, I advocate brevity in arguments and writing; a three-page synopsis suffices. Lengthy arguments don't necessarily mean better points; as judges, our role isn't academic but problem-solving. Clarity is crucial, and concise writing, though challenging, is paramount. I advocate for precise citations in Court, rejecting excessive information dumps. Lawyers must present the best judgment pertinent to the proposition, avoiding unnecessary precedents. Like the American approach, we need to restrict extensive quotations in our judgments, maintaining precision and clarity. Academic interests can be pursued through articles, whereas judgments should reflect a judge's signature, not just orders. The burden of reporting every order creates a precedent overload that needs reconsideration. We should exercise prudence in adopting precedents, considering the context of our queries.

***What was it like having classmates who eventually became colleagues on the Bench?***

**J. Kaul:** Talking about classmates from the same batch of the law faculty, I believe there are more than a dozen judges all over the country in the Supreme Court and High Courts. Some of them even joined the district services and rose up, like Mr Tyagi in the Punjab and Haryana High Court. The people who came to Delhi represented a large part of the country. Students used to come



*The Chief Justice of India, Dr D Y Chandrachud interacting with Justice Sanjay Kishan Kaul on the lawns of the Supreme Court on the Constitution Day*

to the faculty here from the South and the East. For instance, Hrishikesh [Justice Roy] was a judge in Guwahati, and I was in Delhi. Justice Ravindra Bhatt was originally from outside Delhi but educated here, Justice Rajul Bhargava in Allahabad. Many such judges emerged, while quite a few of my contemporaries joined the Bar and stayed there, not as an interim measure but permanently. It's always pleasant to catch up with them, interact, and share a bench. We always cherished the idea of four judges from a law faculty batch, all having the privilege of being Supreme Court judges. It's not very common.

### *What books would you recommend to young lawyers?*

**J. Kaul:** I think anything which gives you pleasure, is something you should read. I can read fiction, I can read autobiographies, I can read something connected with law. The thing is that you must get joy out of a book. That's how I look at it. So each person has their own reading habits. My favourite author of whom I read everything at a very early age and still sometimes repeat is P G Wodehouse. I was introduced to P G Wodehouse when I was

young, maybe 12 or 13. I think I have read and owned almost all of his books, maybe about 17. Still sometimes I like to get back to a different system and read one of his books, because the humour is very classic and I feel humour is a part of life and court, and is also part of your performance. So I believe that in court also the atmosphere should be kept a little lighter.

### *Can you recall a childhood memory that influenced who you are today or one that still brings a smile to your face?*

**J. Kaul:** Reflecting back, I had a sheltered upbringing, guided by my parents and grandparents who stressed the importance of education. They emphasised that material possessions are temporary, and education is the key to self-sufficiency. Focus on excelling in your chosen field, they said. Though introverted, I engaged in theatre, which honed my public speaking skills— a valuable asset in the legal profession. After schooling, I pursued Economics Honours alongside notable classmates, including [the] current Chief Justice of India, Abhishek



*Justice Sanjay Kishan Kaul at the official dinner of the 18th Meeting of Chief Justices of SCO Member States held on 10-12 March 2023*

Singhvi, Senior Counsel, Parag Tripathi, topper of the batch and others excelling in various fields. St Stephen's College provided opportunities for students from diverse backgrounds. During that time, personal and social interactions were the main source of entertainment, as it was an era without the prevalence of the private sector or advanced technology like colour TV. I stayed very close to the University. So I took full advantage of [the] three years. I was just a kilometre and a half away in walking distance from my college. And I've spent a lot of time in the University also, usually it was theatre or something else.

*What do you do for leisure? Any hobby or interest in music/art which you have been pursuing for years?*

**J. Kaul:** I enjoy reading fiction and anything I can get my hands on when time permits. Sometimes as a judge, time is limited, and exhaustion sets in. So, I relax by watching a good Netflix film or listening to music from the vintage fifties, sixties, and seventies, particularly old Hindi film songs. I have a fondness for theatre, which began

during my college days. After joining the Bench till I think my work got the better of it. I never found time as a lawyer, but in my initial years as a judge I participated in one play organised by our Old Boys' Association. Although sceptical, I enjoyed it a lot. I also used to play golf in Delhi, but not frequently. After that things didn't work out, so that's something! I have a bucket list of things I would like to do post retirement. I want to travel, restart golf, spend time in Kashmir, and prioritise my health over a busy schedule. Also, I yearn to spend more time with my grandchildren.

*What culinary delight serves as your comfort food? Any dish that you love the most?*

**J. Kaul:** My weakness is food. I am very comfortable with Indian food, especially when made at home. I think it gives a lot of satisfaction. But if I go out normally, I may not have Indian food because that's what I like. So Chinese is another food which I like. And I have a weakness for pizzas— good thin pizzas. I also enjoy ice cream and sweets.

# Legal Aid Outreach



*From left to right: Justice Sanjiv Khanna, Justice Sanjay Kishan Kaul, the Chief Justice of India, Dr D Y Chandrachud, the Minister of State, Law and Justice (I/C), Arjun Ram Meghwal and Chairperson, NCW, Ms Rekha Sharma on Legal Services Day*

## Legal Services Day

Legal Services Day was celebrated on 9 November 2023. The Chief Justice of India, Dr D Y Chandrachud— Patron in Chief of the National Legal Services Authority (NALSA) lauded the work done by NALSA and the National Commission for Women (NCW). Justice Sanjay Kishan Kaul, Executive Chairman, NALSA observed that the Authority's upgraded national helpline number (15100) had added a robust dimension to immediate legal assistance for citizens through real-time monitored multilingual assistance covering all the District Legal Services Authorities in the country. Justice Sanjiv Khanna, Chairman of Supreme Court Legal Services, underscored the importance of legal literacy clubs in schools and improvements in shelter homes for enhancing legal awareness.

## Strengthening Access to Justice in the Global South

NALSA, together with the International Legal Foundation (ILF), the United Nations Development Programme (UNDP) and the United Nations Children's Fund (UNICEF), hosted the 1st Regional Conference on Access to Legal Aid in New Delhi on 27–28 November 2023.

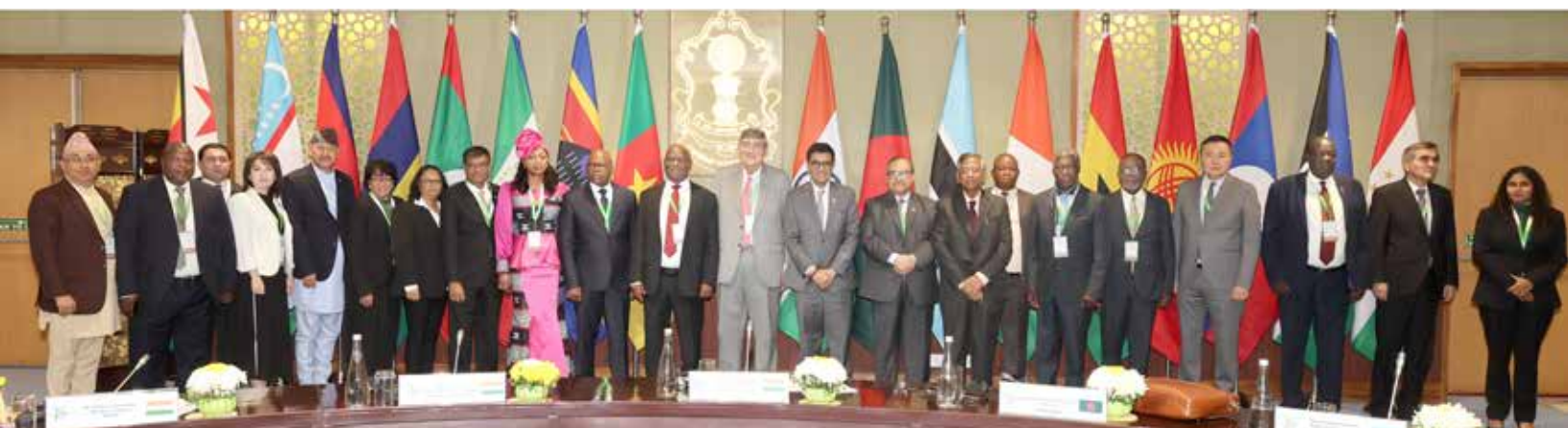
Over 191 participants from 51 countries attended the Conference on 'Strengthening Access to Justice in the Global South.' The Chief Justices' Roundtable on Equal Access to Justice for All in the Global South on 27 November brought together 21 Chief Justices and senior judges from 15 countries in the region, and was convened to discuss the role of the judiciary, technology and best practices in advancing equal access to justice. The Roundtable concluded with the



*From left to right: G20 Sherpa Amitabh Kant, the Minister of State, Law and Justice (I/C), Arjun Ram Meghwal, the Chief Justice of India, Dr D Y Chandrachud, the Vice President of India, Jagdeep Dhankhar, Justice Sanjay Kishan Kaul, Justice Sanjiv Khanna, and the Attorney General, R Venkataramani at the Inaugural Session of the 1st Regional Conference held on 27 November 2023*

adoption of the ‘New Delhi Principles,’ a set of 12 principles, which enable equal access to justice for all. They are equal protection of laws, non-discrimination, and equality, right to a fair trial, legal representation in criminal cases, legal representation in civil cases, right to legal

aid, accessibility and affordability, technology innovations and advancements, legal education and public awareness, public participation and accountability, continuous improvement and promoting alternative dispute resolution mechanisms.



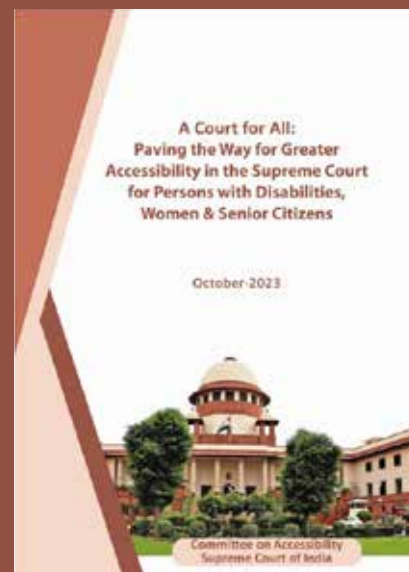
*Justice Sanjay Kishan Kaul (centre), the Chief Justice of India, Dr D Y Chandrachud (right) along with the Chief Justices and the Judges from different nations at the Chief Justices’ Roundtable on Equal Access to Justice for All in the Global South on 27 November 2023*

# Event Roundup

On 16 October 2023, the Chief Justice of India, Dr D Y Chandrachud released a Report titled 'A Court for All: Paving the Way for Greater Accessibility in the Supreme Court for Persons with Disabilities, Women & Senior Citizens.' The Report was prepared by the Supreme Court Committee on Accessibility which was chaired by Justice S Ravindra Bhat, Judge (now retired), Supreme Court of India. Constituted in November 2022, the Committee has meticulously studied the physical infrastructure (tangible facilities) and functional accessibility (operational elements and services) of the Supreme Court premises. The Committee has also made efforts to understand the unique challenges faced by women and senior citizens in the Court.

The key findings of the Report reveal inadequacies related to wheelchair-friendly amenities, designated seating in courtrooms, tactile paving and filing counters for persons with disabilities, expectant mothers and senior citizens. The Report makes several suggestions to make the Supreme Court premises more inclusive and accessible. Among these are the provision of accessible route maps, accessible pathways, sign language interpreters, and lactation rooms.

## Report on Accessibility



*Report by Committee on Accessibility, 'A Court for All: Paving the Way for Greater Accessibility in the Supreme Court for Persons with Disabilities, Women & Senior Citizens'*

## Oath Ceremony on 9 November 2023



*Justice Satish Chandra Sharma, taking oath as Judge of the Supreme Court*

Justice Satish Chandra Sharma was appointed as a Judge of the Madhya Pradesh High Court on 18 January 2008. He was elevated as Chief Justice of the High Court for the State of Telangana on 11 October 2021 and thereafter transferred to the High Court of Delhi on 28 June 2022. He was elevated as Judge of the Supreme Court of India on 9 November 2023.



*Justice Augustine George Masih, taking oath as Judge of the Supreme Court*

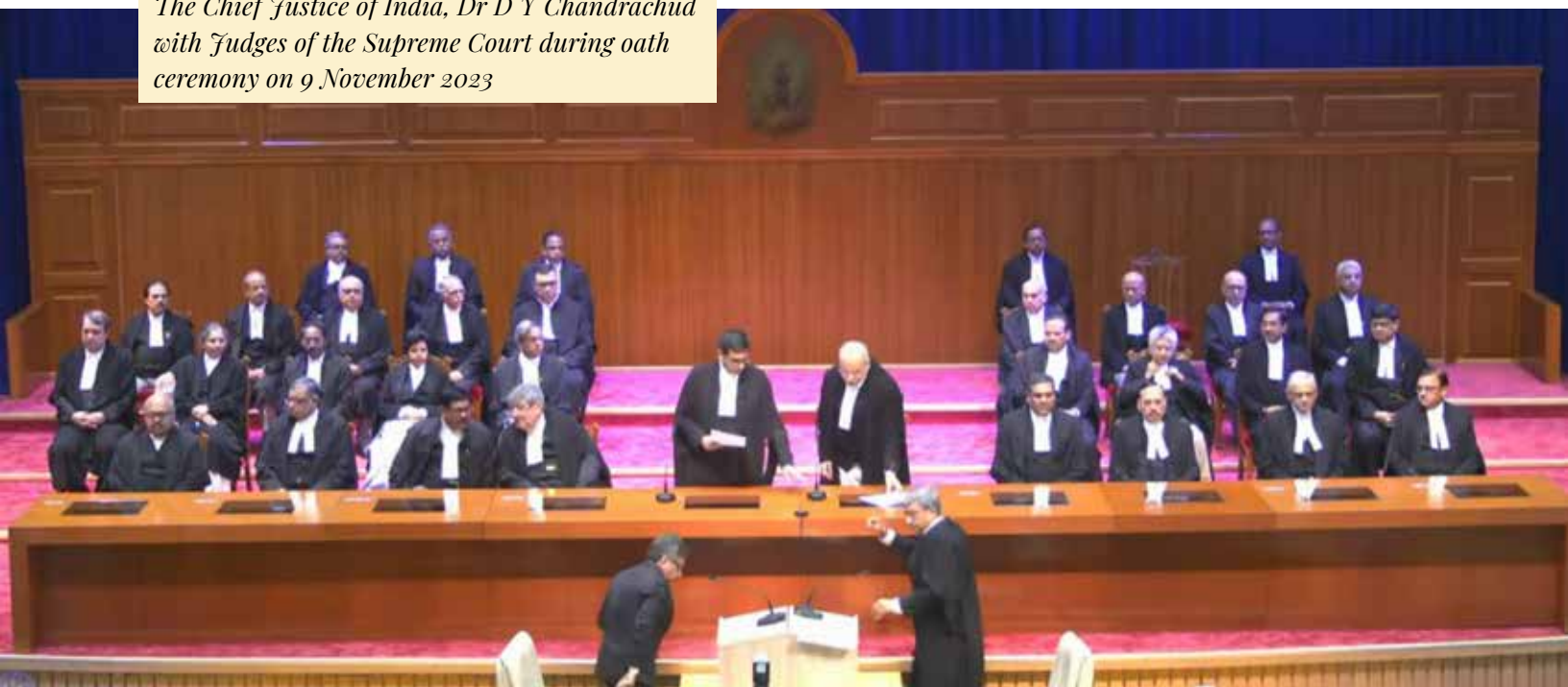
Justice A G Masih was appointed as Additional Judge of the Punjab and Haryana High Court on 10 July 2008 and as a Permanent Judge on 14 January 2011. He was elevated as Chief Justice of the Rajasthan High Court on 30 May 2023. He was elevated as Judge of the Supreme Court of India on 9 November 2023. on 9 November 2023

Justice Sandeep Mehta was appointed as the Additional Judge of the Rajasthan High Court on 30 May 2011 and became a permanent Judge on 6 February 2013. Having attained seniority in his parent High Court he was elevated as Chief Justice of the Gauhati High Court on 15 February 2023. He was elevated as Judge of the Supreme Court of India on 9 November 2023.



*Justice Sandeep Mehta, taking oath as Judge of the Supreme Court*

*The Chief Justice of India, Dr D Y Chandrachud with Judges of the Supreme Court during oath ceremony on 9 November 2023*



## Inauguration of Mitti Cafe: Fostering Inclusivity



*From right to left: The Chief Justice of India, Dr D Y Chandrachud, Justice Sanjay Kishan Kaul, Justice K V Viswanathan, Justice B R Gavai, Justice Rajesh Bindal, Justice Ahsanuddin Amanullah and the staff of Mitti Cafe*

On 10 November 2023, the Chief Justice of India, inaugurated Mitti Cafe in the presence of Judges of the Supreme Court. The cafe can be found on the ground level in the left wing of the Supreme Court building. A novel initiative to foster inclusivity in the Court premises, the cafe is mostly run by differently-abled staff. The cafe is well-lit and inviting. Much of this has to do with the cheerful decor (made by specially-abled persons and their caregivers) and the wide smiles of the staff that greet customers

upon entrance. We meet Nikki, a bright-eyed 22 year-old who operates the computer at Mitti Cafe and takes daily orders from customers. Nikki tells us that she has been on a wheelchair since both her legs were amputated. Nikki loves her job because it has helped her become independent. Her story is a testament to the contribution of Mitti Cafe, a non-profit that works towards the economic independence and dignity of individuals with physical, intellectual, and psychiatric disabilities.



*From left to right: The Chief Justice of India, Dr D Y Chandrachud, the Minister of State, Law and Justice, Arjun Ram Meghwal, the President of India, Smt Droupadi Murmu and Ms Kalpana Das interacting with staff at Mitti Cafe on Constitution Day*



*From left to right:  
front row – Nikki, Nimmi, Amit, Pooja, Shaheen, and Rihan  
back row – Ashok Kumar, Faiz Anwar, and Shadaab at Mitti Cafe*



# Staff Corner

## In Service to the Court: Dr Mukesh Nasa



“जिंदगी की सबसे खूबसूरत देन यह है कि जब भी किसी का भला किया जाये तो अपना भला प्राकृतिक रूप से अपने आप ही हो जाता है।

जिसने शिष्टता और नम्रता सीखी उसने बहुत कुछ सीख लिया।”

— Dr Nasa’s favourite quote

“Working for more than 15 hours a day is my hobby,” shares Dr Mukesh Nasa, an Assistant Registrar cum Private Secretary at the Supreme Court. Dr Nasa has worked at the Court for over two decades. Among the judges he has worked with, are Justice M B Shah, Justice S H Kapadia, Justice Dalveer Bhandari, and Justice J Chelameswar. His dream of working with the Chief Justice of India was finally realised when he served as a Court Master in the court of the former Chief Justice of India, U U Lalit.

A passion for serving the institution that has given him so much drives Dr Nasa. This passion is best seen in his active involvement in the Court’s Training Cell. Dr Nasa has trained many Personal Assistants, Court Masters, Law Clerks and Research Associates. A module prepared by him is now a part of the training programmes conducted by the Court. Dr Nasa’s commitment to training is rooted in pragmatism. “Keeping in view... that senior most officers have either retired or will be retiring,” “it is [the] need of the hour” to mobilise the Training Cell to prepare less experienced “stakeholders.”

Dr Nasa adopts a holistic but firm approach to training. While open to diverse perspectives, he expects diligence and discipline. He wishes to motivate officers of the Registry to work

“notwithstanding timing” with the dedication of an “army personnel.” For Dr Nasa, professional excellence across the Registry will allow the Supreme Court to function optimally.

Dr Nasa’s love for research is infectious. He speaks excitedly about the challenge it entails, and likens the process to walking down an “untraveled road.” He has authored five books on the death penalty in India. “I never thought that I should go for higher studies,” he admits. But with the encouragement of judges, particularly that of Justice Bhandari and Justice U U Lalit, Dr Nasa managed to pursue his academic interests. He earned a PhD on the subject of the death penalty in India from Symbiosis International University, Pune in 2018. His work on the subject involved meticulous research including the examination of over 500 cases between 1950 and 2017, in which the Supreme Court had to deliberate on the death sentence.

Dr Nasa recommends that the Registry have a transfer policy, and regular assessments of its performance to improve efficiency. He speaks enthusiastically about the Court’s recent technological initiatives, including the ‘Advocate e-Appealance Portal,’ whose development he followed keenly. The Portal, by allowing Advocates pleading in Court to mark their attendance digitally, reduces the dependence on paper in courtrooms and saves precious judicial time. “Now is the time to be tech-savvy,” he urges. Dr Nasa has high hopes for the Centre for Research and Planning. He believes that the Centre could become an institution of international repute by producing reliable research and data that will serve the Indian judiciary in the future.

# Blood Donation Drive



*The Chief Justice of India, Dr D Y Chandrachud extending his support and wishes to the Supreme Court Employees Welfare Association and AIIMS for organising the blood donation drive on 30 November 2023*



The Supreme Court Employees Welfare Association, in coordination with the All India Institute of Medical Sciences (AIIMS), organised a blood donation drive in the Additional Building Complex, Supreme Court of India on 30 November 2023.

*Mr H S Jaggi, Registrar (Technology), donating blood on 30 November 2023*

# SCBA Scoop



*From left to right: SCBA President, Dr Adish C Aggarwala, Justice K V Viswanathan, Justice Surya Kant, Justice Vikram Nath, Judges of Delhi High Court and members of the SCBA*

The 3rd Amarendra Sharan Memorial Badminton Tournament and Table Tennis Tournament was held at DDA Squash and Badminton Stadium, New Delhi on 4 November 2023. Justice Sanjiv Khanna, Justice Surya Kant, Justice Vikram

Nath, Justice M M Sundresh, Justice K V Viswanathan, Judges of the Supreme Court and Justice Purushaindra Kumar Kaurav and Justice Saurabh Banerjee of the Delhi High Court also graced the occasion.



*The President of India, Smt Droupadi Murmu and the Chief Justice of India, Dr D Y Chandrachud along with the SCBA President, Dr Adish C Aggarwala, and members of the SCBA on Constitution Day*

# Beyond the Court



On 4 November 2023, **Justice B R Gavai** delivered an address on ‘Our Constitution and the Idea of India therein’ at the 2nd Annual Justice Ajay Kumar Tripathi Memorial Lecture

*Justice B R Gavai at the 2nd Annual Justice Ajay Kumar Tripathi Memorial Lecture held in Patna on 4 November 2023 (credits: LiveLaw)*

**Justice M M Sundresh** visited Singapore to attend Plenary Session 6 of the Insolvency Conference, 2023 organised by the Insolvency Practitioners Association of Singapore (IIPAS) on 23 November 2023. The Plenary Session was a judicial colloquium in which Justice Sundresh was one of the panelists.



On 25 November 2023, **Justice Dipankar Datta**, as the Chief Guest of the Centennial Celebration of the West Bengal Judicial Service Association, delivered a memorial lecture on ‘Challenges before the District Judiciary and the Role of a Judicial Officer,’ at the National Library, Kolkata. Later that day, Justice Datta addressed an audience on the topic ‘50 years of Basic Structure Doctrine: Reflections and Ruminations,’ at the Nani Palkhivala Memorial Conclave held at the West Bengal National University of Juridical Sciences, Kolkata.



*Justice Dipankar Datta at the Nani Palkhivala Memorial Conclave, West Bengal National University of Juridical Sciences, Kolkata*

## 36th LAWASIA Conference 2023



*Justice B V Nagarathna moderating the panel on 'The Rights of the Child' at the 36th LAWASIA conference in Bengaluru on 25 November 2023*

The Chief Justice of India, Dr D Y Chandrachud delivered the keynote address (virtually) on 'Identity, the Individual and the State: New Paths to Liberty,' at the 36th LAWASIA Conference in Bengaluru, held between 24 November and 27 November 2023. The theme of the Conference was 'Everything, Everywhere, All at Once: Lawyering In The Digital Age.' Justice Sanjay Kishan Kaul moderated a panel on 'Revisiting the 'Bangalore

Principles of Judicial Conduct, 2002' in the Digital Age. Justice P S Narasimha moderated a panel titled 'Reeling in Social Media,' which featured speakers from India, Malaysia, Australia and Japan. Justice Abhay S Oka, who moderated a discussion on 'The Queer Family: Emerging Legal Issues,' highlighted the significance of queer family rights.



*Justice Abhay S Oka (centre) interacting with participants at the 36th LAWASIA conference in Bengaluru on 25 November 2023*

# Foreign Judicial Delegations



*The Chief Justice of India and Judges of the Supreme Court along with the Chief Justices of the Ivory Coast, South Sudan, Kyrgyzstan, Tajikistan, Uzbekistan, Cameroon, Botswana and Ghana in Court No 1*

The Supreme Court of India hosted several foreign judicial delegations to observe live proceedings over the past month. On 28 November 2023, Chief Justices from the Ivory Coast, South Sudan, Kyrgyzstan, Tajikistan, Uzbekistan, Cameroon,

Botswana and Ghana shared the dais with the Chief Justice of India, Dr D Y Chandrachud, Justice J B Pardiwala, and Justice Manoj Misra in Court No 1.



*From left to right: The Chief Justice of Nepal, Justice Bishwambhar Prasad Shrestha, Justice Hari Prasad Phuyal, Justice J B Pardiwala, the Chief Justice of India, Dr D Y Chandrachud, and Justice Manoj Misra in Court No 1*

On 29 November 2023, a judicial delegation from Nepal comprising the Chief Justice of Nepal, Bishwambhar Prasad Shrestha, and Justice Hari Prasad Phuyal, observed proceedings in Court No 1.

# Obituary

## *Demise of Justice M Fathima Beevi*



Justice M Fathima Beevi, the first female Judge of the Supreme Court of India, passed away at the age of ninety-six on 23 November 2023 in Kollam, Kerala.

Justice Beevi's historic journey has not only cemented her as a pioneer in her field but has paved the way for numerous women to pursue careers in law and justice delivery. Born in Kerala in 1927, she enrolled as an Advocate on 14 November 1950. She was appointed a Munsiff in the Kerala Judicial Services in May 1958, which marked the beginning of her distinguished service on the Bench. She was elevated to the rank of Junior Judge in 1968, Chief Judicial Magistrate in 1972, and District and Sessions Judge in 1974.

She became the first woman member of the Income Tax Appellate Tribunal in 1980. Three years later on 4 August 1983, Justice Beevi was elevated to the Kerala High Court. This marked a significant milestone as it made Justice Beevi the first Muslim woman to enter the higher judiciary in India. On 6 October 1989, Justice Beevi was elevated to the Supreme Court of India, making her the first woman Supreme Court Judge of an Asian nation.

On 1 November 2023, Justice Beevi was honoured with the Kerala Prabha Award, the state's second-highest civilian honour, in recognition of her priceless contribution to society.

“

*In Scheduled Caste and Weaker Section Welfare Assn v State of Karnataka, (1991) 2 SCC 604, Justice Beevi said,*

*It is one of the fundamental rules of our constitutional set-up that every citizen is protected against exercise of arbitrary authority by the State or its officers. If there is power to decide and determine to the prejudice of a person, duty to act judicially is implicit in the exercise of such power and the rule of natural justice operates in areas not covered by any law validly made.*

”

# Glimpses of Constitution Day



*The Chief Justice of India,  
Dr D Y Chandrachud showing the  
Courtroom No 1 to the President  
of India, Smt Droupadi Murmu*

*Judges of the Supreme Court heading  
towards the unveiling of  
Dr B R Ambedkar's statue*



*Justice Ahsanuddin Amanullah and  
Justice Hrishikesh Roy interacting with  
Mr Naresh Kumavat (sculptor) on the  
occasion of Constitution Day*





# Interaction during Technical Sessions





*The Chief Justice of India, Dr D Y Chandrachud addressing the august gathering in Technical Session on Constitution Day.*



*The Minister of State, Law and Justice (I/C), Arjun Ram Meghwal addressing the august gathering in Technical Session on Constitution Day*



*Dr Uma Narayan, OSD Registrar, Supreme Court of India, giving a brief introduction of the Web page on Dr B R Ambedkar in presence of Justice B R Gavai, the Chief Justice of India, Dr D Y Chandrachud, and the Minister of State, Law and Justice (I/C), Arjun Ram Meghwal (from left to right)*

# High Tea





Supreme Court of India  
Tilak Marg, New Delhi-110001

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*Designed by Judges Library*