The Supreme Court of India
The Supreme Court of India

ANNUAL REPORT 2006 - 2007

(Published by the Supreme Court of India)
EDITORIAL COMMITTEE:
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Hon’ble Mr. Justice R.V. Raveendran
Hon’ble Mr. Justice D.K. Jain

Publisher: The Supreme Court of India
New Delhi-110001
Website – http://supremecourtofindia.nic.in
(Contents mainly relate to 1.10.2006 to 30.09.2007)

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Printed at I G Printers Pvt. Ltd. Tel.: 26817927, 26810297

Photography: J.S. Studio (Sudeep Jain) 9810220385 (M)
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I am extremely happy to release the Fourth Annual Report of the Supreme Court of India. It is heartening to note that the earlier Reports were received well by one and all, not only within, but also outside the borders of our country.

Being the Apex Court, Supreme Court of India is the upholder and the final interpreter of the Constitution of India, the preamble of which proclaims to secure to all its citizens justice, social, economic and political, and it also safeguards the Fundamental Rights of the citizens guaranteed under Part III of the Constitution of India. The judiciary in India, under our Constitutional framework, has been assigned the delicate and onerous task of determining the extent and scope of the powers conferred on each branch of the Government, while ensuring that no branch transgresses its limits. The Courts in India have to discharge this onerous task bearing in mind the object of strengthening the confidence of common man in our judicial system. Any effort, from any corner, to stultify or weaken the system will shake the faith of the common man in the justice dispensation system.

Ours is a multi-lingual and multi-faceted society, constituting unity in diversity. Preamble of our Constitution proclaims our strong resolution to constitute India into a Sovereign, Socialist, Secular, Democratic Republic and to secure to all its citizens, liberty of thought, expression, belief, faith and worship and also the equality of status and of opportunity. It also proclaims to promote amongst them all, fraternity, assuring dignity of the individual and unity and integrity of the nation. A free society contemplates dissemination of information and knowledge without restraints, airing of
differing view points and debate and forming of one’s own views. Such formulation of free views and opinion is essential for ensuring exercise of social, economic and political rights in an informed manner. Therefore, restraint of any kind on this valuable right enshrined in our Constitution, is zealously watched by our courts.

Our justice delivery system serves the largest democracy in the world. Because of the enormous progress achieved in raising the standard of literacy and increased public awareness, there has been a tremendous increase in the institution of cases in our courts. That apart, every new legislation brings with it, new areas of disputes and differences between the citizens and the various authorities. Therefore, there should be a system to assess the impact of the new legislation on the institution of fresh cases in various courts / tribunals. For various reasons, the position now obtained is that adequate Judge strength and infrastructural facilities are not provided to our subordinate courts and the High Courts to cope up with the inflow of litigation, thus causing mounting of arrears. The estimated backlog in our subordinate courts as on 01/07/07 was 25 million cases. Similarly, 37.12 lacs cases were pending in the various High Courts in the country as on 30/06/07. The pendency of cases in the Supreme Court has also slightly increased over the last few years and as on 30/09/07, 44,819 cases were pending for disposal. The huge pendency of cases in various courts in our country calls for immediate attention of all concerned.

Even though we have been able to introduce various judicial reforms, such as imparting in-service training to the judicial officers with a view to update their legal acumen, establishment of Fast Track Courts and Evening Courts, introduction of Information and Communication Technology in the functioning of the various levels of the courts, providing of the video conferencing facility in a number of courts and District Jails/Central Prisons for the benefit of the under-trials, a multi-dimensional approach needs be adopted to combat the mounting arrears. By establishing permanent Lok Adalats and introduction of permanent mechanism for mediation, conciliation and arbitration, efforts are being made to contain to some extent, the increased inflow of litigations in various courts. Several legal aid and awareness programmes are conceived and implemented and legal aid camps are held under the aegis of the National Legal Services Authority and the State Legal Services Authorities. Services of both the teachers and the students of various law colleges are mobilized to hold legal aid camps at university and college level. I wish such activities help in quickening the pace of rendering social justice, more stress and emphasis is to be laid on strengthening the mediation and conciliation centers at rural level in order to ensure that disputes arising at the grass root level are settled permanently, without giving room for further proliferation of litigation in the law courts. The tool of Public Interest Litigation needs to be judiciously used with a view to protect the basic human rights and to achieve social justice to the socially and economically weaker sections of our society.

Law being an instrument of social change, evolved by a gradual and continuous process, it should be able to answer the cry of the people, the need of the hour and the order of the day. The
The greatest virtue of law lies in its flexibility and adaptability. In order to achieve the goal of speedy justice, collective thinking and action on the part of the three pillars of our Constitution, namely, legislature, judiciary and executive as also the representative bodies of the members of the Bar are absolutely necessary.

While concluding, I express my deep gratitude for the contributions made by my brother Judges in upholding the tradition of this great institution. The commendable service being rendered by the staff members of the Supreme Court Registry is also worth recognition. I may also express my gratitude to the members of the Bar for their valuable contributions in the proper discharge of the functions of this court. I may also extend my congratulations to the Judges of the High Courts and the members of the Subordinate judiciary whose wholehearted efforts have contributed in upholding the faith and hope of the common man in our justice delivery system. I am sure, the goal of speedy justice to the needy, can be achieved by a collective thinking and action by the three pillars of the State namely, the Legislature, the Executive and the Judiciary, followed by combined and concerted efforts by the Bench and the Bar.

K.G. Balakrishnan
Chief Justice of India
From left to right:-


JUSTICE K.G. BALAKRISHNAN

Chief Justice of India

Hon’ble Judge was 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. Practiced 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 26-09-1985. On 24-11-1997 transferred to Gujarat High Court and became the Chief Justice of the High Court of Gujarat 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.


Due to retire on 12th May, 2010 (F/N).
JUSTICE B.N. AGRAWAL
Due to retire on 15th October, 2009 (F/N).
JUSTICE ASHOK BHAN

Hon'ble Judge was born on 2.10.1943. Entered Legal Profession in 1965. Worked as part-time Lecturer in Faculty of Law, Punjab University from 1969 to 1979 and Additional Advocate General of Punjab from November, 1979 to March, 1980. Designated Senior Advocate in December, 1982. Worked as Senior Standing Counsel for the Chandigarh Administration from 1983 till his appointment as Judge on 15th June, 1990. Similarly, he was the Senior Counsel for the Department of Income Tax, Government of India from 1983 to 15th June, 1990. Appointed Judge in the Punjab & Haryana High Court on 15.6.1990. Transferred to Karnataka High Court on 7.10.1997. He was Acting Chief Justice from 26th June, 2000 to 20th October, 2000 in the Karnataka High Court. Appointed as Judge of the Supreme Court of India on 17.8.2001. Due to retire on 2nd October, 2008 (F/N).
JUSTICEARIJITPASAYAT

Hon'bleJudge was born on 10.5.1944. Son of late Viswanath Pasayat, an illustrious son of Orissa, a legendary figure in the freedom movement and an eminent jurist. Had a brilliant academic career, excelling in almost every academic examination he appeared. After graduation with Honours in English, obtained LL.B. Degree from M.S. Law College, Cuttack securing First Rank. Obtained B. Com degree privately and after completing articleshift, passed Intermediate, Chartered Accountancy examination. Enrolled as an Advocate on 10.10.1968. Had practice in Constitutional, Taxation and almost all other branches of Law. Was Vice-Chairman of Orissa State Bar Council, Secretary and Vice-President of All Orissa Lawyers Association, Executive Member of Orissa High Court Bar Association and Secretary of All Orissa Tax Bar Association. Was a member of the Utka University Senate. Was a part-time Lecturer of the Madhusudan Law College, Cuttack. Was appointed as an Additional Judge of the Orissa High Court on 20.3.1980 and a permanent Judge of that Court on 20.9.1990. Was appointed as Acting Chief Justice of Orissa High Court on 2.4.1999. Was the main architect behind introduction of Five Years Law Course in Orissa. Was the Judge in Charge of legal education in Orissa. Was elevated as Chief Justice of Kerala High Court on 20.9.1990. Transferred as Chief Justice, Delhi High Court on 10.5.2000. Elevated as Judge of the Supreme Court of India on 19.10.2001. Has delivered landmark judgments in almost all branches of law in the High Courts and Supreme Court.

Due to retire on 10th May, 2009 (F/N).
JUSTICE H.K. SEMA


Due to retire on 1st June, 2008 (F/N).
JUSTICE S.B. SINHA

SATYA BRATA SINHA, B.Sc., B.L. - Hon’ble Judge was born on August 8, 1944 at Dhanbad. Did his B.L. from Chota Nagpur Law College in 1967. Joined Dhanbad District Court in 1968 whereafter he shifted his practice to Ranchi after constitution of the Permanent Bench of Patna High Court in 1976.


Due to retire on 8th August, 2009 (F/N).
JUSTICE G.P. MATHUR


Due to retire on 19th January, 2008 (F/N).
JUSTICE S.H. KAPADIA

Hon’ble Judge was born in Bombay on 29.9.1947.


During the period 1987-90, His Lordship appeared as Standing Counsel for HPCL, BPCL, Nationalized and Foreign Banks and for Income Tax department.

On 8.10.1991, elevated to the Bench of the Bombay High Court. During the period 8.10.1991 to 5.8.2003, as a Judge of the Bombay High Court, His Lordship sat in Constitutional, Civil, Appellate and Tax Jurisdictions. For more than three years, His Lordship was the Special Judge in the Special Court under Securities Transaction Act. During this period, His Lordship tried matters involving economic offences.

On 5.8.2003, His Lordship was appointed Chief Justice of Uttarakhal High Court at Nainital. As Chief Justice, His Lordship 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, His Lordship was appointed Judge of the Supreme Court of India at the age of 57.

As a person, His Lordship is close to his family. He loves to read books concerning Religion, Philosophy, Economics, Physics and Finance.

Due to retire on 29th September, 2012 (F/N).
JUSTICE A. K. MATHUR

Ashok Kumar Mathur, M.A. LL.B.-Hon’ble Judge was born on August 7, 1943. He was enrolled as an Advocate of the Rajasthan High Court on October 20, 1967. He was appointed as Assistant Government Advocate and Deputy Government Advocate on August 2, 1969 and Government Advocate of Jodhpur from January 31, 1977 to July 12, 1978. Appointed as Additional Advocate General in 1981. He was appointed as Additional Judge on July 13, 1985 and permanent Judge of the Rajasthan High Court on July 23, 1986. He was transferred to the Madhya Pradesh High Court on February 18, 1994. He was appointed as Chief Justice of Madhya Pradesh High Court from February 3, 1996. Transferred to the Calcutta High Court on December 22, 1999.

He was elevated as Judge, Supreme Court of India on June 7, 2004. Due to retire on 7th August, 2008 (F/N).
JUSTICE C.K. THAKKER


Due to retire on 10th November, 2008 (F/N).
JUSTICE TARUN CHATTERJEE

B. Sc., LLB. Hon’ble Judge was born on January 14, 1945. He was 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.

Married to Kumkum Chatterjee. His Lordship is son of late Hon’ble Mr. Justice Purshottam Chatterjee, former Judge, Calcutta High Court, who was also Senior Advocate in the Supreme Court of India. Shri Digambar Chatterjee, who was Judge of Calcutta High Court during the period of British Government was great grand father of His Lordship. Following his foot-steps, is son Shri Aniruddha Chatterjee practicing Advocate at Calcutta High Court.

Appointed Judge of Supreme Court on 27th August 2004.

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

Hon’ble Judge was born at Jabalpur on 29th June 1943.


Practised in civil, criminal, Constitutional, company, labour and service matters. Appointed as Standing Counsel for Raipur University and Standing Counsel of Madhya Pradesh High Court, Municipal Corporations and various Co-operative Societies. Appeared for various educational institutions, public bodies and corporate bodies.


Belongs to a lawyers’ family. Grandfather late Shri R.G. Naolekar and father late Shri Prabhakar R. Naolekar were leading members of the Bar of Madhya Pradesh High Court. Actively participated in cultural, educational and sports activities at Jabalpur.

Due to retire on 29th June, 2008 (F/N).
JUSTICE ALTAMAS KABIR

Son of Late Jahangir Kabir, Hon’ble Judge was born on July 19, 1948 at Calcutta.

Did his schooling and sat for the Senior Cambridge Examination 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 a 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

Raja Varadarajulu Raveendran, B.Sc., B.L.- Hon’ble Judge was 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

Hon'ble Judge was born on 1st October, 1947. After Graduating in Humanities and Law on an International Scholarship, did Master of Laws from the Northwestern University, Chicago, USA. He also worked for about two years with the Northwestern Legal Assistance Clinic, and appeared in Chicago Courts.

On an International Fellowship, he visited Thailand, Malaysia, Indonesia, Singapore and Sri Lanka for observational -cum-lecture tour of Legal Aid and Clinical Legal Educational Programmes. He worked on an International Project “Delay in the Administration of Criminal Justice in India” sponsored by the United Nations.

In 1968, began his professional career in the Rajasthan High Court and later shifted to Delhi in 1977. Practiced in the Supreme Court till elevation to the Delhi High Court in March 1991. He functioned as a Chairperson, Delhi High Court Legal Services Committee for several years.

Was also a Chairperson of the Advisory Boards of Delhi State of COFEPUSA and NSA. He was nominated as an Executive Member of the International Law Association India Chapter by the Supreme Court of India. He functioned as a Chairperson of the Delhi Centre of the International Law Association.

Visited Auckland (New Zealand) as a Key Note Speaker of International Conference organized by the United Nations on “Intellectual Property”.

He was appointed as the Chief Justice of Maharashtra and Goa on 25th July, 2004. Took special interest in computerization, ADR programme, Video Conferencing facilities, Legal aid and Legal Literacy Programme in the State. He was instrumental in setting up “Information Centre for the litigants” in the High Court, and the Projects of Setting of National Law School and Judicial Academy in Bombay.

He was elevated as a Judge of the Supreme Court of India and assumed office on 28.10.2005.

Due to retire on 1st October, 2012 (F/N).
JUSTICE LOKESHWAR
SINGH PANTA


Conducted cases on behalf of the State before the Central Administrative Tribunal and H.P. State Administrative Tribunal. During this period, he was also assigned duties and functions of the Advocate General from December 1988 to March 1989. Appeared as counsel for H.P. Vidhan Sabha before Lokayukta.

Remained Vigilance Officer in the Department of Advocate General of Himachal Pradesh. He is a life member of the Executive Committee of the Indian Law Institute; Member of the Executive Council for the All India Law Institute (State Unit). Appointed Additional Judge of the High Court of Himachal Pradesh from August 20, 1991 and permanent Judge on July 28, 1995. Held the office of Executive Chairman of the Himachal Pradesh State Legal Services Authority since December 26, 1995. Appointed as Judge of the Supreme Court of India on February 3, 2006.

Due to retire on 23rd April, 2009 (F/N).
JUSTICE D.K. JAIN


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

Hon'ble Judge was 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, former Union Home and Defence Minister, Governor of West Bengal and Orissa and Chief Minister of Madhya Pradesh. His uncle Justice B.N. Katju was Chief Justice of Allahabad High Court.

Obtained first division in every examination he appeared for, from Senior Cambridge to LL.B. 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. Also served as a Member, International Association of Refugee Law Judges (IARLJ) and attended conference in Switzerland from 23rd to 28th October 2000 and various other law related 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 October 2005. Elevated to Supreme Court on 10th April, 2006.

His Lordship is 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

M.A., LL.B. Hon’ble Judge was born on September 5, 1946. He was enrolled as an Advocate with the Bar Council of Punjab and 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 and Haryana Services for about a decade. Was appointed Deputy Advocate General (Punjab) in 1983 and worked as such till 1987. Made Senior Advocate in 1987. Was appointed Additional Advocate General Punjab for about an year ending in 1990.

He was appointed as an Additional Judge of the Punjab and Haryana High Court on March 15, 1991 and permanent Judge on July 8, 1992. He was appointed as the Chief Justice of the Bombay High Court on 3.10.2006. Appointed as a Judge of the Supreme Court of India on 12.1.2007. Due to retire on 5th September, 2011 (F/N).
JUSTICE V.S. SIRPURKAR

Hon’ble Judge was born on 22nd August, 1946. Matriculated from Chandrapur District of Maharashtra, topping in the District. Completed Graduation from Morris College, Nagpur and Law Degree from the University College of Law, Nagpur.

Practised at Nagpur in the High Court on Constitutional, Civil and Criminal sides. Was elected as a Member of Maharashtra Bar Council in the year 1985 and 1991. Elevated as a Judge of Bombay High Court in 1992. Was incharge of Judicial Officers Training Institute, Nagpur. Transferred to the Madras High Court in December, 1997 where also held the post of ‘Executive Chairman’ of the Tamil Nadu State Legal Services Authority. Was instrumental in starting the Judicial Academy at Madras.

Elevated as Chief Justice, High Court of Uttarakhand. Held office till 19th March, 2005, and thereafter as Chief Justice of the High Court at Calcutta.

Started Judicial Academy called “Ujala” (Uttaranchal Judicial and Legal Academy) at Uttaranchal and Judicial Academy in West Bengal.

Was elected unopposed as a Member of the Governing Council of the Indian Law Institute, New Delhi from the Judge’s Constituency from 2004 to 2007. Nominated by Bar Council of India to the General Council of the National Law School of India University, Bangalore, for a term ending on July 28, 2007. Member of the General Council of West Bengal National University of Juridical Sciences, Kolkata from March 20, 2005.

Elevated to Supreme Court of India w.e.f. 12.1.2007.

Hailing from a Lawyers’ family – Father, Mother, Wife, Son, Daughter-in-law and Brothers are all Lawyers.

Due to retire on 22nd August, 2011 (F/N).
JUSTICE B. SUDERSHAN REDDY

B.A., LL.B. Hon’ble Judge was 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

B.A., B.L. Hon’ble Judge was 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 and 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 (P/N).
JUSTICE G.S. SINGHVI

Hon’ble Judge was 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 under Shri Marudhar Mridul. Practiced in Rajasthan High Court at Jodhpur till June, 1977 and shifted to Jaipur on creation of High Court Bench at Jaipur. Mainly practiced in Constitutional Law but conducted criminal cases as amicus curiae. He 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. He was elevated to the Bench of Rajasthan High Court on 20-07-1990. He was transferred to Punjab and Haryana High Court on 28-04-1994, and thereafter as Judge of the Gujarat High Court on 28-02-2005.

He was sworn in as the Chief Justice of the 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

Hon’ble Judge was born in Patna on April 19, 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 and 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

Hon’ble Judge was born on 06.10.1946, Did B.Com from H.L. College of Commerce, Ahmedabad. Passed LL.B. Examination in 1972. Was awarded Gold Medals and several other prizes. Was appointed as 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 exclusively in the High Court. Appointed as one of the Advocates to represent cases of the Western Railway. Was 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. Conducted several civil, criminal, constitutional, preventive detention and other cases.

His father had also served the Judiciary.

Elevated to the Bench of the Gujarat High Court as Additional Judge on 22.11.1990 and confirmed as Permanent Judge on 28.10.1994. Was appointed as President of Gujarat State Judicial Academy, President of Gujarat High Court Advocate Law Library, and one of the Members of General Council of Gujarat National Law University.


Took oath of the Office as Judge of the Supreme Court of India on 12-11-2007. Due to retire on 6th October, 2011 (F/N).
Hon’ble Chief Justice of India During 2006-2007*

Y.K. SABHARWAL

Date of Appointment as Judge - 28.01.2000
Date of Appointment as C.J.I. - 01.11.2005
Held Office till - 13.01.2007

*(Period of Report is from 01-10-2006 till 30-09-2007)*
Hon’ble Judges
During 2006-2007*

B.P. SINGH

Date of Appointment - 14.12.2001
Held Office till - 08.07.2007

AR. LAKSHMANAN

Date of Appointment - 20.12.2002
Held Office till - 21.03.2007

P.K. BALASUBRAMANYAN

Date of Appointment - 27.08.2004
Held Office till - 27.08.2007

* (Period of Report is from 01-10-2006 till 30-09-2007)
THE HISTORY

1. India has one of the oldest legal systems in the world, its history and jurisprudence stretches back to the centuries, forming a living tradition which has grown and evolved with the lives of its diverse people. The history of the present judicial system may be traced back to the year 1726 when a Charter was issued by King George-I for bringing out important changes in the judicial administration of the Presidency Towns of Bombay, Calcutta and Madras. The Civil and Criminal Courts established in the Presidency Towns, then started deriving their authority from the King. The system of appeals from India to Privy Council in England was introduced by the 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, to establish the Supreme Court of Judicature at Fort William at Calcutta by Charters or Letters Patent, superseding the then prevalent judicial system. The Supreme Court of Judicature at Fort William in Bengal, was established by Letters 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 line as the 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.

3. The Judicial Committee of Privy Council was 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. The Act of 1833 transformed the Privy Council into a great Imperial Court of unimpeachable authority. The Privy Council has been a great unifying force and the instrument and embodiment of the rule of law in India.

4. The Indian High Court’s Act, 1861, reorganized the then prevalent judicial system in the country by abolishing the Supreme Courts at Fort William, Madras and Bombay, and also the then existing Sadar Adalats in the Presidency Towns. The establishment of High Courts in their place was a conspicuous land mark event of unique importance, and precursor of the modern era of law and justice. The High Courts so established were conferred Civil, Criminal, Admiralty, Vice-admiralty, Testamentary, Intestate and Matrimonial Jurisdiction, as well as Original and Appellate Jurisdiction.

5. Provincial autonomy was established in India with the coming into force the Government of India Act, 1935, which introduced responsibility at the Provincial level and aimed at the Union of British Indian Provinces with the Rulers of States in a Federation. As a Federal system depended largely upon a just and competent administration of the law between governments themselves, the 1935 Act provided for the establishment of the Federal Court, the forerunner of the Supreme Court of India. The Federal Court was the second highest Court in the judicial hierarchy in India.

6. The Federal Court was the first Constitutional Court and also the first all India Court of extensive jurisdiction, and had Original Jurisdiction in matters involving dispute between the provinces or Federal States. It was also the Appellate Court for the judgments, decrees or final orders of the High Courts. Thus, the Federal Court of India had Original, Appellate, and Advisory Jurisdiction. The doctrine of precedent in India also had its roots in Federal Court, as the law declared by the Federal Court and Privy Council was given binding effect on all the Courts in British India. The Federal Court had its sitting in Chamber of Princess in Parliament building in New Delhi, and sat there for 12 years, till Supreme Court of India replaced it.

7. With the transfer of power from the British Parliament to the people of India, it was
Sir Maurice Gwyer who was sworn in as the 1st Chief Justice of the Federal Court with Sir Shah Muhammed Sulaiman, Judge (Left) and Hon’ble Mr. M.R. Jayakar, Judge (Right)
considered necessary to establish the Supreme Judicial Authority in India. The judicial voyage that commenced from the Federal Court of India, supervised by the Privy Council, continued till 1950, when judicial administration at the apex was assumed by the Supreme Court of India, after coming into the force of the Constitution of India. In the first instance, jurisdiction of Federal Court was enlarged by enactment of Federal Court (Enlargement of Jurisdiction Act), 1947, and then by another Act namely the Abolishing of Privy Council Jurisdiction Act, 1949. The provision of appeal against the decision of Federal Court was abolished in the year 1949. Thus, the Federal Court of India became the highest judicial authority, supreme in its authority and jurisdiction, till it was replaced by the Supreme Court of India on 26th January, 1950.

8. In 1950, the Federal Court ceased to exist. By the Constitution of India, the Judges of the Federal Court were appointed as the Judges of the Supreme Court of India. Hon’ble Mr. Justice Harilal Jekisundas Kania, who was the Chief Justice of Federal Court became the first Chief Justice of the Supreme Court of India. The Inaugural Session was held on 28th January, 1950 in the Chamber of Princess in the Parliament House, which continued there till the Supreme Court of India shifted to its present building in 1958.

THE SUPREME COURT OF INDIA – AT PRESENT

9. The Supreme Court, with the present sanctioned strength of 25 Judges and the Chief Justice, is the ultimate repository of all judicial powers at the national level, by virtue of it being the summit court at the pyramidal height of administration of justice in the country, and as the upholder and final interpreter of the Constitution of India, and defender of the ‘rule of law’.

10. The Supreme Court of India stands out to be a forum for redressal of grievance not only in its jurisdiction as conferred by the Constitution, but as a platform and forum for every grievance in the country, that requires judicial intervention.

11. Chapter IV of the Constitution of India deals with the “Union Judiciary”. Article 124 relates to establishment and constitution of the Supreme Court. It, inter alia, provides for composition, appointment, qualification for being appointed as a Judge of the Supreme Court, and removal of a Judge from Office. Article 125 deals with salaries etc. of Hon’ble Judges. Article 126 takes care of the situation where Acting Chief Justice is to be appointed. There is provision for
President of India, Dr. Rajendra Prasad administers the oath of Office to Sir Harilal J. Kania as the Chief Justice of India, as Sri C. Rajagopalachari, the last Governor General of India looks on.
Photograph of the Judges of the Supreme Court in 1950

Hon’ble Chief Justice of India, Sir Harilal J. Kania and other Hon’ble Judges of the Supreme Court on the dias and Hon’ble Chief Justices of all the High Courts on the inaugural sitting of the Supreme Court on 28th January, 1950
appointment of ad hoc Judges, and attendance of retired Judges at sittings, under Article 128. Under Article 129, Supreme Court is a Court of Record and has all the powers of such Court, including the power to punish for contempt, and its seat shall be at Delhi, in view of Article 130.

12. The Supreme Court, since its inception, was empowered with a jurisdiction far greater than that of any comparable court, anywhere in the world. It could hear, decide and pronounce on any legal matter brought before it. As a federal court it has the exclusive jurisdiction to determine disputes between the Union of India and any State and the States inter se. Under Article 32, it can issue writs for enforcement of Fundamental Rights guaranteed under the Constitution. As an appellate court, it could hear appeals from the State High Courts on civil, criminal and Constitutional matters. It has the special appellate power under Article 136 to grant leave to appeal from any Tribunal or Court. In the years to follow, this special jurisdiction came to dwarf all others. Several other statutes confer appellate powers to the Supreme Court. It could review its judgments under Article 137 of the Constitution. In its advisory capacity under Article 143, it could answer references by the President of India on any question of law or fact, which had arisen or were likely to arise, which are of public importance.

13. It possess a unique power to pass any orders as is necessary for doing “complete justice”. The law declared by the Supreme Court is binding on all Courts within the territory of India, under Article 141 of the Constitution of India. The Court is now the Constitutionally designated custodian of the law, and under Article 144, all authorities, civil and judicial are required to act in aid of the Supreme Court. Interwoven into these powers is the power of judicial review – to strike down both legislation and executive action, contrary to the provisions and the scheme of the Constitution, the distribution of power between Union and States, or inimical to the fundamental rights guaranteed by the Constitution.

14. JURISDICTION

14.1 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 one side and one or more States on the other; or between two or more States, fall in this category.

d. Transfer of Cases

The Supreme Court also has power 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, 1908 and Section 406 of the Code of Criminal 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 sub-clause (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, being a Court of record, has all the powers of such a court, including the power to punish for contempt of itself. Article 142 prescribes that decrees and orders passed by the Supreme Court are effectively enforced. 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.

14.2 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 proceeding, 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 proceeding of a High Court, if the High Court certifies under Article 134A that the case involves substantial question of law of general importance; and that in the opinion of the High Court, the said question needs to be decided by the Supreme Court. This is in view of Article 133. In criminal matters, Article 134 provides as to when on certificate from the High Court under Article 134 A, an appeal can be filed to Supreme Court.

b. Statutory Appeals

Provisions of Statutory Appeals in different Statutes are as under:


(III) Section 19(1)(b) of the Contempt of Courts Act, 1971.

(IV) Section 10 of the Special Court (Trial of Offences relating to Transactions in Securities) Act, 1992.

(V) Section 23 of the Consumer Protection Act, 1986.

(VI) Section 130E of the Customs Act, 1962.

(VII) Section 35(L) of the Central Excise Act, 1944.

(VIII) Section 40 of the Competition Act, 2002.

(IX) Section 38 of the Advocates Act, 1961

(X) Section 116A of The Representation of the People Act, 1951


(XII) Section 18 of the Telecom Regulatory Authority of India Act, 1997.


(XIV) Section 125 of the Indian Electricity Act, 2003

(XV) Section 24 of National Tax Tribunal Act, 2005 (49 of 2005)
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 “S.L.P.”.

d. Reference

Income Tax Appellate Tribunal, through its President, can refer under Section 257 of the Income Tax Act, 1961 to the Supreme Court 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.

14.3 Advisory Jurisdiction

The President of India may obtain the opinion of the Supreme Court of India under Article 143, if at any time it appears to him that a question of law or fact has arisen, or is likely to arise, which is in nature of public importance. In such circumstances, he may refer the question to the Supreme Court for consideration and the Court may, after hearing, as it thinks fit, report to the President its opinion thereon.

The reference to the Supreme Court can also be made in :-

i. Article 317, as regards removal of Chairman or any other Member of a Public Services Commission.

ii. Section 11 of the Competition Act, 2002 as regards removal of a Member of the Commission.

iii. 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.

14.4 Review Petitions

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

14.5 Curative Petitions

In view of the decision in “Rupa Ashok Hurra v. Ashok Hurra & Anr. [(2002) 2 SCR 1006], the Supreme Court can reconsider the final judgment/order on limited grounds on a curative petition, under the inherent powers of the Court, even after the dismissal of the review petition.
14.6 Important provisions of Constitution of India, other Acts and Rules relating to Supreme Court

The Constitutional provisions 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.
6. Supreme Court Judges (Salaries and Conditions of Service) Act, 1958

14.7 Public Interest Litigation

The Supreme Court also exercises its powers to do justice in certain matters popularly known as public interest litigation (PIL). 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. PIL petitions received by post are also entertained by the Court, and on many occasions even Suo Moto. A PIL section has been set up for dealing with the PIL petitions. The details of PIL received during the past are as follows:
### Letters/Petitions and Writ Petitions (Civil & Criminal) Received/Filed under PIL in the Supreme Court of India

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# UP TO 30<sup>th</sup> SEPTEMBER, 2007
A View of Supreme Court Building from the Western side
In view of Article 141 of the Constitution of India, the law declared by the Supreme Court is binding on all Courts within the territory of India, and hence every judgment delivered by the Supreme Court has its own significance. Brief note of some of the judgments which have wider implications and impact on various sections of the society, delivered during the preceding year, are given below. Judgments of Supreme Court are available on Supreme Court website:

1. In Confederation of Ex-Servicemen Association and Others vs. Union of India and Ors. [(2006) Supp. 4 SCR 872], a 5 Judges Bench held that to get free and full medical aid/facilities is not a fundamental right.

2. In Epuru Sudhakar and Another Vs. Government of A.P. and Others [(2006) Supp. 7 SCR 81], dealing with the power of granting of Pardon, Remission etc. under Article 161 and 72 of the Constitution, the Supreme Court held that Executive Power of Clemency has to be exercised on public consideration alone, and it is to be weighed whether public welfare will be better served by inflicting less than what the judgment has fixed. Primacy of rule of law and the necessity of executive power based on fairness and certainty was emphasised by the Court.

http://supremecourtofindia.nic.in, http://indiancourts.nic.in
3. Dealing with the execution of award decrees in Land Acquisition Compensation Cases, a 5 Judges Bench in *Gurpreet Singh Vs. Union of India* [(2006) Supp. 7 SCR 422], discussed the stage wise appropriation rule regarding award of compensation under Land Acquisition Act, 1894 and held that the appropriation rule as laid down in *Prem Nath Kapur’s case* [(1995) Supp. 5 SCR 790] was justified. It was further held that interest can be granted on solatium, if reference court or appellate court has not negatived the same.

4. Dealing with the Municipal Elections, in “*Kishansing Tomar Vs. Municipal Corporation, Ahmedabad*”, [(2006) Supp. 7 SCR 454], 5 Judges Bench of the Court observed that it is incumbent upon Election Commission and other authorities to carry out the mandate of the Constitution and to see that a new municipality is constituted in time, and elections to a municipality are conducted before expiry of its duration of five years as mandatorily specified in Article 243-U (1). It was also directed that regarding elections to municipalities and panchayats in a State, the State Government shall abide by directions of State Election Commission in the same manner in which it follows direction of Election Commission of India during Parliamentary and State Assembly Elections.

5. In *Jagmodhan Mehatabsing Gujaral Vs. State of Maharashtra* [(2006) Supp. 8 SCR 332], the Supreme Court held that “large scale theft of electricity is a very alarming problem faced by all the State Electricity Boards in our country, which is causing loss to the State revenue running in hundreds of crores every year.” Consequently it held that, “after proper adjudication of the cases of all those who are found to be guilty of the offence of committing theft of electricity, apart from the sentence of conviction, the Court should invariably impose heavy fine making theft of electricity a wholly non-profitable venture”. The Bench also observed: “The most effective step to curb this tendency perhaps could be to discontinue supply of electricity to those consumers temporarily or permanently who have been caught abstracting electricity in a clandestine manner on more than one occasion. The legislature may consider incorporating this suggestion as a form of punishment by amending Section 39 of the Indian Electricity Act of 1910”.

6. Dealing with the issue of disinvestments/privatization of Government Assets in the matter relating to privatization of Delhi
and Bombay Airports, the Court in *Reliance Airport Developers (P) Ltd. Vs. Airports Authority of India & Ors.* [(2006) Suppl. 8 SCR 398] observed that in a multi-tier system, the authority empowered to take a decision can accept and prefer the view expressed by one Committee than that expressed by another Committee for plausible reasons. According to the Court, expression of different views and deliberations in different meetings actually lead to transparency in the decision-making process. The Court further observed that in the scoring system, objectivity has an important role to play and the criteria adopted by the Committee namely GETE appears to be more rational as it has gone by objective standards. Evaluation Committee (EC) has no business to expand or narrow down the scope of any of the factors weighed in the tender documents as it was beyond the authority of the Evaluation Committee.

In *Sarbananda Sonowal v. Union of India* [(2006) Supp. 10 SCR 167] the validity of the subordinate legislation issued under the Foreigners Act, 1946 in the context of an earlier decision rendered by the Supreme Court came up for challenge. It was held that it was not open to the authority concerned to nullify the directions of the Supreme Court by way of subordinate legislation. The Court, finding that the order was issued making the parent order inapplicable to one State, to cover up non-implementation of the Supreme Court directions, held that “when the parent Act remains in force and applicable, it is not open to the authority concerned to nullify the directions of the Supreme Court by way of a subordinate legislation by making order inapplicable to a particular State.”

8. In *Parkash Singh Badal and Anr. Vs. State of Punjab and Ors.* [(2006 Supp. 10 SCR 197] it was held that “the principle of immunity protects all acts which the public servant has to perform in exercise of the functions of the Government. The purpose for which they are performed protects these acts from criminal prosecution. However, there is an exception. Where a criminal act is performed under the colour of authority, but which in reality is for the public servant's own pleasure or benefit, then such acts shall not be protected under the doctrine of State immunity”.

9. In *Aloke Nath Dutta and Ors. v. State of West Bengal* [(2006) Supp. 10 SCR 662] while discussing the question of confession under Section 27 of the Indian Evidence Act, 1872, the Court held that the law does not envisage taking on
record the entire confession by incorporating both admissible and inadmissible part of it together. It was held that while dealing with case of grave nature there is always danger that conjectures and suspicion may take place of legal truth. The Court further held that evidence brought on record by way of judicial confession which stood retracted should be substantially corroborated by other independent and cogent evidence, which would lend adequate assurance to the court regarding its truth, so that it can be relied on.

10. In **Ishikawajima-Harima Heavy Industries Ltd. v. Director of Income Tax, Mumbai** [(2007) 1 SCR 112], the question of imposition of income tax on a non-resident entity having business connection in India, came up for consideration before the Supreme Court. Analysing the principle of territorial nexus, the Court held that “for a non-resident entity to be taxed in India, it should carry on business through a permanent establishment in India and income taxed is on the basis of extent appropriate to the part played by permanent establishment in those transactions.” It was further held that only such part of the income as is attributable to the operations carried on in India can be taxed in India. The Court further held that that “sufficient territorial nexus between the rendition of services and territorial limits of India is necessary to make the income taxable.” The Court held that location of the source of income within India would not render sufficient nexus to tax the income from that source.

11. A Constitution Bench in **Raja Ram Pal Vs. The Hon’ble Speaker, Lok Sabha & Ors.** [(2007) 1 SCR 317] examined the question as to whether in exercise of the powers, privileges and immunities as contained in Article 105 of the Constitution, the Houses of Parliament are competent to expel their respective members from membership of the House, and if such a power exists, whether it was subject to judicial review, and if so, the scope of such judicial review.

Per majority, the Bench, inter alia, held that the Constitutional system of Government abhors absolutism and it being the cardinal principle of our Constitution that no one, howsoever lofty, can claim to be the sole judge of the power given under the Constitution, mere co-ordinate constitutional status, or even the status of an exalted constitutional functionaries, does not disentitle the Supreme Court from exercising its jurisdiction of judicial review of action,
that having regard to the importance of the functions discharged by the legislature under the Constitution and the majesty and grandeur of its tasks, there would always be an initial presumption that the powers, privileges etc. have been regularly and reasonably exercised, not violating the law or the Constitutional provisions, this presumption being a rebuttable one; that Parliament is an august body of co-ordinate constitutional position does not mean that there can be no judicially manageable standards to review exercise of its power; that the judicature is not prevented from scrutinizing the validity of the action of the legislature trespassing on the fundamental rights conferred on the citizens; that there is no basis to claim bar of exclusive cognizance or absolute immunity to the Parliamentary proceedings in Article 105(3) of the Constitution and that the manner of enforcement of privilege by the legislature can result in judicial scrutiny, though subject to the restrictions contained in the other provisions of the Constitution.

12. A nine Judges Bench, in I.R. Coelho (Dead) by LRs. Vs. State of Tamil Nadu [(2007) 1 SCR 706] determined the nature and character of protection provided by Article 31-B of the Constitution to the laws added to the Ninth Schedule by amendments made after the date of the judgment in the Kesavananda Bharati case.

The Bench held that a law that abrogates or abridges rights guaranteed by Part III of the Constitution may violate the basic structure doctrine or it may not and if former is the consequence of law, whether by amendment of any Article of Part III or by an insertion in the Ninth Schedule, such law will have to be invalidated in exercise of judicial review power of the Court; that all amendments to the Constitution made on or after 24th April, 1973, by which the Ninth Schedule is amended by inclusion of various laws therein, shall have to be tested on the touchstone of the basic or essential features of the Constitution as reflected in Article 21 read with Article 14, Article 19, and the principles underlying them. The Bench further held that applying the above tests to the Ninth Schedule laws, if the infraction affects the basic structure then such a law(s) will not get the protection of the Ninth Schedule; and if the validity of any ninth Schedule law has already been upheld by this Court, it would not be open to challenge such law again on the principles declared by this judgment and any action taken and transactions finalized as a result of the impugned Acts shall not be open to challenge.
A Constitution Bench in *Sri Rajendra Singh Rana & Ors. vs. Swami Prasad Maurya & Ors.* [(2007) 2 SCR 591] held that the 13 MLAs of the Uttar Pradesh Legislative Assembly who had met the Governor and requested him to invite the leader of the opposition party to form the Government stood disqualified from the Assembly. “The very giving of a letter to the Governor requesting him to call the leader of the opposition party to form a Government by them, itself would amount to their voluntarily giving up the membership of their original political party within the meaning of paragraph 2 of the Tenth Schedule to the Constitution. If so, the conclusion is irresistible that the 13 members of BSP who met the Governor on 27.8.2003 stand disqualified in terms of Article 191(2) of the Constitution read with paragraph 2 of the Tenth Schedule thereof, with effect from 27.8.2003.” the Bench held.

In *Delhi Electricity Regulatory Commission Vs. BSES Yamuna Power Ltd. & Ors.* [(2007) 2 SCR 747], the Court pointed out the distinction between the depreciation in commercial accounting and depreciation in tax accounting. The Court observed that accounting for costs differs according to the object and the purpose for which the exercise is undertaken. According to the Court, depreciation is allocation of costs so as to charge a fair proportion of the depreciable amount in each accounting period during the expected usual life of the assets. The Court further observed that the depreciation includes amortisation of assets whose useful life is predetermined and it also includes depreciation of resources through the process of use. It was also observed that in the past, the accepted principle behind providing for depreciation was to recover the original capital invested in the purchase of the assets, which is, to a large extent replaced by the concept of replacement cost in recent years, owing to the increase in the level of prices due to inflation.

In *Nair Service Society v. State of Kerala* [(2007) 3 SCR 149] – the Report of the Committee pursuant to a Notification issued for identification of ‘creamy layer’ amongst backward classes and their exclusion from the purview of reservation was challenged. It was held that report submitted by the Committee constituted had not proceeded scientifically, particularly having regard to the constitutional scheme explained by the Court. Setting aside the Notification and the report, it was held that it was trite that those who have reached the status of general category cannot be permitted to
defeat the purport and object of the concept of ‘creamy layer’ as the idea of creamy layer was conceptualized on that philosophy. It was further held that equality before law was a dynamic concept having many facets and despite Article 38 of the Constitution of India, the Courts are bound to interpret a law which seeks to achieve the said purpose not only on the anvil of Articles 14 and 16 of the Constitution of India but also having regard to the International Law also.

16. In Bharat Co-operative Bank (Mumbai) Ltd. Vs. Co-operative Bank Employees Union [(2007) 4 SCR 347], a three Judges Bench had occasion to distinguish between legislation by incorporation and Legislation by reference, referring to Section 6 of General Clauses Act and Section 2 (bb) of Industrial Disputes Act. Analysing the subtle difference between the two, the Bench held that Legislation by incorporation is a common legislative device where the legislature, for the sake of convenience of drafting, incorporates provisions from an existing statute by reference to that statute instead of verbatim reproduction of the statute, which it desires to adopt in another statute. Once incorporated, the provision incorporated becomes an integral part of the statute in which it is transposed. Thereafter, there is no need to refer to the statute from which the incorporation is made, and any subsequent amendment made in it has no effect on the incorporating statute. On the other hand, in the case of a mere reference, any modification, repeal or re-enactment of the statute that is repealed, will also have effect on the statute in which it is referred. On the above premise, it was held that S. 2(bb) of Industrial Disputes Act is an instance of legislation by incorporation.

17. A three Judges Bench in Samar Ghosh vs. Jaya Ghosh [(2007) 4 SCR 428] held that there cannot be any comprehensive definition of the concept of ‘mental cruelty’ within which all kinds of cases of mental cruelty can be covered. “The concept of cruelty differs from person to person depending upon his upbringing, level of sensitivity, educational, family and cultural background, financial position, social status, customs, traditions, religious beliefs, human values and their value system.” The Bench held.

18. In Supreme Court Bar Association Vs. Union of India and Others [(2007) 5 SCR 96] the petitioners challenged the appointments of retired judges as Chairmen of State Legal Service
Authority in different states. Allowing the writ petitions, the Court held that though in terms of S.6(2) of Legal Services Authorities Act, 1987, a retired Judge can be appointed as the Chairman, normal rule is that a sitting judge should be appointed, and only when unusual difficulties exist, a retired judge may be appointed.

19. While adjudicating the claim of adverse possession, Court in P.T. Munichikkanna Reddy and Others Vs. Revamma and Others [(2007) 5 SCR 491], held that even an unduly long undisturbed possession did not prove the intention of adverse possession. It was observed that right to property is now considered to be not only a Constitutional or statutory right but also a human right. Since Right to Property is also considered very much a part of new dimension given to human rights, even claims of adverse possession has to be read in that context. With the expanding jurisprudence of European Court of Human Rights, the Court has taken an unkind view to the concept of adverse possession. Therefore, it will have to be kept in mind while adjudicating statutes of limitation overriding property rights.

20. Asserting that the existence of an arbitration agreement as defined under Section 7 of the Arbitration and Conciliation Act, 1996 was the condition precedent for exercise of power to appoint an arbitrator, the Court in Jagdish Chander Vs. Ramesh Chander and Others [(2007) 5 SCR 720], held that the main attribute of an arbitration agreement was consensus ad idem to refer disputes to arbitration. The mere use of words ‘arbitration’, or ‘arbitrator’, in a clause will not make it an arbitration agreement, if it requires or contemplates a further or fresh consent of parties for reference to arbitration, which only indicates an agreement to enter into an arbitration agreement in future.

21. Reiterating that reasonableness and fairness in action are the hallmark of an action by State, even when it is acting as a “landlord” or “tenant” and in contractual matters, the Court in Bharat Petroleum Corporation Ltd. Vs. Maddula Ratnavalli and Others [(2007) 5 SCR 997], held that objective satisfaction must be the basis for an executive action and even that is liable to judicial review.

22. A three Judges Bench in Kishore Lal vs. Chairman, Employees State Insurance Corporation [(2007) 6 SCR 139] held that “the service rendered by the medical practitioners of hospitals/nursing homes run by the ESI Corporation...
cannot be regarded as a service rendered free of charge." The Bench held that “the service provided by the ESI hospital/dispensary falls within the ambit of ‘service’ as defined in Section 2(1)(o) of the Consumer Protection Act. ESI scheme is an insurance scheme and it contributes for the service rendered by the ESI hospitals/dispensaries, of medical care in its hospitals/dispensaries, and such service given in the ESI hospitals/dispensaries to a member of the Scheme or his family cannot be treated as gratuitous”.

In **Udai Singh Dagar and Ors. v. Union of India (UOI) and Ors. [2007] 6 SCR 707** – the appellants challenged the Notification issued by the respondent under Section 30 of the Indian Veterinary Council Act, 1984 specifying services to be rendered in Government or semi-Government services, on the ground that the restriction imposed therein was violative of Article 19(1)(g) of the Constitution of India. Analysing the provisions, the Supreme Court held that if a restriction to be imposed by a statute is reasonable one and is in the public interest, then the same is Constitutionally valid. It was further held that “a right whether inchoate, accrued or acquired, can be held to be protected provided the right survives. If the right itself does not survive and either expressly or by necessary implication it stands abrogated, the question of applicability of Section 6 of the General Clauses Act would not arise at all.”

In **Southern Petrochemical Industries Co. Ltd. v. Electricity Inspector and E.T.I.O and Ors. [2007] 6 SCR 955**, the Court while dealing with the issue of levy of tax on consumption or sale of electricity under the Tamil Nadu Tax on Consumption or Sale of Electricity Act, 2003, the Supreme Court held that the treatment of the law is not exhaustive as different consequences are required to be taken into consideration and applied, having regard to the nature of statutory provision.

The Court, in **Commissioner of Income Tax, Udaipur Vs. Hindustan Zinc Ltd. [2007] 7 SCR 302** dealt with the method of accounting for valuation of closing stock for the purpose of Income Tax. The controversy in the case was whether the assessee was right in writing down the inventory below the cost price by estimating its net realizable value, and not at the domestic price. It was held that there will be no justification to discard the valuation at cost on the basis of the report of the auditors based on reducing the prospective profits. The
Court further held that the present case was not the case of anticipatory loss but the case of reduction in the prospective profit and therefore ITAT had erred in deleting the additions made in the assessment.

26. In *Aashirwad Films v. Union of India (UOI) and Ors.* [(2007) 7 SCR 310] – The notification issued under Andhra Pradesh Entertainment Tax Act was challenged on the ground that it violated Article 14 of the Constitution of India insofar as it provided for levy of different rates of entertainment tax with respect to different language films. Upholding the contention, it was held that even the taxation laws must pass the test of Article 14 of the Constitution and that there should be a reasonable classification, which should bear a rational nexus with the object sought to be achieved.

27. In *C.C. Alavi Haji Vs. Palapetty Muhammed and Another* [(2007) 7 SCR 326], the Court held that it is not necessary to aver in a complaint under Section 138 of the Negotiable Instruments Act that service of notice was evaded by the accused, or that the accused had a role to play in the return of the notice unserved. It was held that when the notice is sent by registered post by correctly addressing the drawer of cheque, the mandatory requirement under Section 138(b) stands complied, and it was for the drawer of cheque to rebut the presumption.

28. In *Bajrang Factory Ltd. and Anr. V. University of Calcutta and Ors.* [(2007) 7 SCR 363] – the construction of a Will vis-à-vis provisions of the Indian Succession Act came for consideration before the Hon’ble Court. It was held that merely because part of the document was invalid, the entire document need not be invalidated, if the former forms a severable part of it. It was further held that while constructing or interpreting the Will, things are to be seen as it existed at the relevant time, and not as it exists today.

29. In *Bidhannagar (Salt Lake) Welfare Association v. Central Valuation Board and Ors.* [(2007) 7 SCR 430] - the validity of West Bengal Central Valuation Board (Amendment) Act, 1994 was challenged on the ground that it was violative of Article 14 of the Constitution of India since it deprived the citizens the right of being heard, which was the essence of principle of natural justice. The Court held that the amendment was to take away the right of a person of a pre-decisional hearing, and to provide for review of the valuation made by the Board.
It was held that any statute which takes away somebody’s right and/or imposes duties cannot be upheld where for all intent and purport, there does not exist any provision for effective hearing.

30. In *Dilip N. Shroff v. Joint Commissioner of Income Tax, Special Range, Mumbai and Anr.* [(2007) 7 SCR 499] – the show cause notice issued to an assessee and penalty imposed thereunder on ground of concealment of income in the return filed, was challenged. It was held that order imposing penalty was quasi criminal in nature and hence the burden lay on the Department to establish whether the assessee had concealed his income. It was held that a duty may be enjoined on the assessee to make a correct disclosure of income but if such disclosure was based upon the opinion of an expert who is otherwise also a registered valuer having been appointed in terms of statutory scheme, only because his opinion is not accepted or differs with the opinion of some other expert, the same by itself may not be sufficient for arriving at a conclusion that the assessee has furnished inaccurate particulars.

31. The Court, in *Commissioner of Customs, Calcutta Vs. South India Television (P) Ltd.* [(2007) 8 SCR 95] dealt with the law governing the valuation of goods under Customs Act, 1962. It was held that the conceptual meaning of value is the function of the price as value is derived from the price. The Court observed that Section 14 of the Customs Act, 1962 is the sole repository of law governing valuation of goods. The Court further held that in the present case the department has charged the respondent importer alleging misdeclaration regarding the price. There is no allegation of misdeclaration in the context of the description of the goods. The allegation is of under invoicing. The charge of under invoicing has to be supported by evidence of prices of contemporaneous imports of like goods. It is for the Department to prove that the apparent is not the real. The value to be declared in the bill of entry is the value determined in accordance with the provisions of Section 14(1) and not merely the invoice price. Therefore, the Department had erred in rejecting as incorrect the invoice submitted by the importer.

32. In *Haridas Das Vs. Usha Rani Banik & Ors.* [(2007) 8 SCR 365], the Supreme Court held that, while fair and temperate criticism of the Court, even if strong, may not be actionable, but attributing improper motives or tending
to bring judges or courts into hatred and contempt or obstructing directly or indirectly with the functioning of Court, is contempt of which notice must be taken. It was observed that “Judge bashing” and using derogatory and contemptuous language against the Judges tend to scandalise and lower the authority of Courts, and cannot be permitted, since for the functioning of democracy, an independent judiciary to dispense justice without fear or favour is paramount.

33. In **Pothula Ram Rao Vs. P.Venkata Krishna Rao [(2007) 8 SCR 982]**, dealing with the provisions of the Representation of the People Act, 1951, the Court held that double entry of name of a citizen in the electoral roll of a constituency was neither a ground of disqualification for registration in an electoral roll under Section 16 of the Act, nor a ground for rejecting the nomination under Section 36(2) of the Act. It was further held that the term “recognised political party” in proviso to sub-Section(1) of Section 33 refers to a recognised national party as also to a “recognised state party”.

34. In **Ashok Pandey Vs. Km. Mayawati & Ors., [(2007) 7 SCR 1006]**, appointment of the Chief Minister and the Minister was challenged on the ground that they are not qualified to be appointed as Chief Minister and Minister respectively, as they are already members of Rajya Sabha and the requirement of their being elected to the State Legislative Assembly within a period of six months under Article 164(1) does not apply to them. After analysing the provisions of “Prohibition of Simultaneous Membership Rules, 1950”, the Court held that there is nothing in the Constitution, which makes the appointments illegal on the above ground.

35. In **University of Kerala Vs. Council, Principals’ College, Kerala & Ors. [(2007) 7 SCALE 390]**, was a case in which the Court dealt with the problem of ragging in Educational Institutions and after going through the measures suggested by the Committee headed by Dr. R.K. Raghavan, constituted earlier by the Court to tackle the problem, the Court issued detailed directions to be implemented. The Court categorically held that punishment to be meted out has to be exemplary, and justifiably harsh, to act as a deterrent against recurrence of such incidents. It was further held that any failure on the part of the institutional authority, or negligence or deliberate delay in lodging the FIR with the local police, shall be construed to be an act of culpable negligence on the part of the institutional authority.
36. In A.A. Gopala Krishnan Vs. Cochin Devaswom Board and Others [(2007) 9 SCR 1], the Court held that the properties of deities, temples and Devaswom Boards require to be protected and safeguarded by their trustees/archakas/shebaits/employees. Instances were many where person entrusted with duty of managing and safeguarding such properties usurped and misappropriated such properties by setting up false claims of ownership or tenancy or adverse possession with the active or passive collusion of authorities concerned. The Government, trustees and devotees should be vigilant to prevent any such encroachment. It was also the duty of the Courts to protect and safeguard the properties of religious and charitable institutions from wrongful claims or misappropriation.

37. The Court in the case of All India Federation of Tax Practioners Vs. Union of India [(2007) 9 SCR 147] dealt with the Legislative competence of Parliament to levy the tax in view of Entry 60 of State List of Seventh Schedule. While considering the issue in question, the Court observed that at the time of interpreting such heads, the Court has to go by schematic interpretation of the three Lists of the Seventh Schedule and not by dictionary meaning of the words. The Court further observed that the entries dealing with taxation are distinct entries vis-à-vis the general entries and for this reason the doctrine of pith and substance plays an important role while deciding the scope of each of the entries in the three Lists in the Seventh Schedule to the Constitution. It was held that Parliament has legislative competence to levy the Service Tax under Entry 97 of Union List of Seventh Schedule in view of the Entry 60 of List II of Seventh Schedule.

38. Dealing with Government Contracts, the Court, in Reliance Energy Limited & Anr. Vs. Maharashtra State Road Development Corporation Ltd. & Ors. [(2007) 9 SCR 853] observed that the principle of “Judicial Review” cannot be denied even in contractual matters or matters in which the Government exercises its contractual powers, but judicial review is intended to prevent arbitrariness and must be exercised in larger public interest. Expression of different views and opinions in exercise of contractual powers may be there. However, such differences of opinions may be based on specific names, which may be legal norms or accounting norms. As long as the norms are clear and properly understood by the decision-maker and the bidders and other stake holders, uncertainty, and thereby breach of law, will not arise.
The Garden in front of the Supreme Court Building with the sculpture of Mother India at the Centre
ACTIVITIES IN THE SUPREME COURT

5.1 Judicial Side

The Registry of the Supreme Court has computerised Sections for processing the cases. Institution of cases takes place at the Filing Counter with the aid of computerized system. Registration of cases is effected through computer once they are defect-free. They are listed through computer application strictly in chronological order within a fortnight of their registration before the concerned Benches of Hon’ble Judges dealing with the particular set of subject categories.

The List of Business has been categorised in two parts; Part I contains the admission matters and Part II contains the regular hearing matters. Cause lists are generated through the computer for listing matters before the Benches constituted for the day.

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. So far as admission matters are concerned, Advance Lists thereof for Mondays and Fridays are generated and issued two weeks before the actual dates of listing and Supplementary Lists thereof are issued on preceding Saturdays and Thursdays respectively. On Mondays, approximately 60-65 admission matters are listed for hearing before each Division Bench and approximately 45-48 admission matters, including final disposal matters subject to the ceiling of 10 matters, are listed on Fridays.

The work relating to grouping of matters and classification of cases which come up for hearing before the Supreme Court is done by senior officers posted in Section I-B with a view to ensure that the cases/matters involving common/identical question(s) of law are posted before the appropriate Bench so as to avoid conflicting decisions in similar type of matters.
Tuesdays, Wednesdays and Thursdays are earmarked for hearing regular matters. So far as hearing of regular matters are concerned, Terminal List thereof 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 it, followed by the Daily List for Tuesday which is issued on preceding Friday/Saturday, and Supplementary List is issued on Monday. Likewise, Daily Lists are issued on Tuesday and Wednesday for the cases listed for the following days.

Till the year 1990, the backlog of cases had increased manifold. Various steps were taken to bring down the pendency of cases. The procedure was streamlined and simplified, shedding the pedantic approach. Infructuous cases on account of non-survival of cause of action with the passage of time 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. It was possible with computer application and Court management. 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 disposition. This exercise was relentlessly pursued and had impact in reducing arrears. The pendency of cases, which was 58,794 as on 1.1.1994, came down to 44,819 cases as on 30.9.2007.

5.2 Disposal of Old and Urgent Cases

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 21st May, 2007 to 8th July, 2007. 468 urgent matters were heard by the Hon’ble Vacation Courts, out of which 238 matters were disposed of. 241 old regular matters were listed before the Hon’ble Courts, and 136 matters were heard.

5.3 Steps taken in recent past to reduce Arrears and Expedite disposal of cases

1. Grouping and Tagging

Detailed particulars of the matters coming to Supreme Court are entered in the Computer. Consequently, the appeals/petitions arising out of the same order/judgment or same subject matter/cause are tagged and are heard and decided together. Wherever the previous matters have already been disposed of, the subsequent matter is heard by the same Bench, which shortens the hearing and expedites disposal.
Chief Justice’s Court
2. **Categorization**

Different subject categories including sub-categories have been named for the matters likely to be filed in this Court and category number is given against each matter at the time of registration. Each category has been allocated to one or more Judges and matters of that category are listed only before those Judges. Judges hearing matters on a particular subject, develop a sort of expertise in those subjects which reduces the time taken in disposal of the matter.

3. **Classification**

Appropriate catchwords are fed in the Computer while registering a case, so that identical matters are heard and decided by the same Bench. This is yet another measure which increases disposal.

**OTHER STEPS :**

4. A large number of matters have been taken up for final disposal instead of adopting the usual course of granting leave and hearing them in due course. This course of action expedites hearing and has increased disposal.

5. Group matters are given top most priority in listing so that maximum cases may be heard and decided by a common order.

6. Constitution Bench/larger Bench are sitting regularly to decide important question of law and as a result, a large number of matters involving common issue are being disposed of expeditiously. In the current year, Five Judges Constitution Bench held sittings for 44 days to hear 292 Constitution Bench matters and Nine Judges Constitution Bench held sittings for 5 days to hear 33 connected matters.

7. Number of matters listed before each Bench on Misc. Days has been increased (upto 65), which has resulted in increased disposal.

8. All the fresh matters are listed within 10 to 14 days of registration and many of them are disposed of at the preliminary hearing.

9. In order to ensure quick disposal of Tax matters which normally have huge revenue implication, two Benches have been constituted to deal exclusively with those matters. A large number of regular matters have already been disposed of by these Benches.

10. Cases of certain categories such as Matters of Senior Citizens, Matrimonial Matters, Corruption cases, Matters of Undertrial Prisoners, Matters of 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.

11. In addition to Regular Court hearings, two Judges hear Misc. applications including Bail Applications in Chambers twice a week, which expedites disposal of the cases.

12. As many as six Benches are dealing with criminal cases, in order to expedite hearing of such matters.

13. Two Hon’ble Judges sit throughout the vacation, to hear urgent matters. If need be, urgent matters are also heard at the residence of the Hon’ble Judges after working hours and during holidays.

14. During summer vacation of 2006 and 2007, additional Benches were constituted to hear old and urgent regular hearing matters in addition to urgent miscellaneous matters.

15. The Courts of Registrars have been established under the new amendments in the Rules. At present, two Registrar’s Courts are working and dealing with 250 matters everyday.

16. Additional powers have been delegated to Hon’ble Judge sitting single in Chamber, as well as to Registrars, so that Courts are able to concentrate only on ready matters requiring hearing on merit.

5.4 Registrars’ Courts

Two Courts of Registrars have been established, one from 3rd April, 2006 and the other from 1st September, 2006 to deal with the 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. At present each Registrar’s Court is dealing with 125 incomplete (after notice) matters daily. Registrar’s Court No. 1 is presided over by Shri M.P. Bhadran and Registrar’s Court No. 2 is presided over by Shri S.G. Shah.

Apart from the matters specifically mentioned under Rule 1 of Order VI of the Rules, these Courts also deal with procedural aspects in respect of matters in which after the issuance of the notice, pleadings are incomplete. In matters listed before Registrar’s Court the Counsel for the appellant/petitioner/respondent or Parties appearing in-person are required to take necessary steps for making the service of notice and the pleadings complete. Thus, the Registrars’ Courts are facilitating the Hon’ble Courts to deal with matters in which pleadings are complete, resulting in saving the valuable time of the Hon’ble Courts.

Registrar’s Courts are also dealing with the mentioning of urgent matters with regard to the preponement or postponement of the cases to be listed before the Hon’ble Courts.
As a result of the above referred steps taken, and despite the Judge-strength of the Supreme Court remaining the same, 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 2006 was 56,540, cumulative increase being as much as 46% (approximately) in a period of 5 years. In 2007, 48,027 cases have already been disposed of till 30th September, 2007.

However, there has been enormous increase in the institution of fresh cases during this period which surpassed the figure of disposal. Total number of matters instituted in the year 2006 was 61,839 as against 39,419 in 2001. 53,066 cases have already been instituted till 30th September, 2007. This has resulted in marginal increase in the pendency of cases each year since 2001. The pendency of both Admission and Regular matters as on 30.09.2007 is 44,819. Various measures are being taken to check the increase in the pendency of cases and to reduce the arrears.

### STATEMENT OF INSTITUTION DISPOSAL & PENDENCY OF CASES IN THE SUPREME COURT OF INDIA FROM THE YEAR 1950 TO 30.09.2007

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* 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.
Hon’ble the then Chief Justice of India, Justice Y.K. Sabharwal constituted the Arrears Committee by an order dated 20th December, 2005 with Hon’ble Mr. Justice S.B. Sinha as Chairman to suggest ways and means to reduce the pendency of cases in various levels of the Courts.

Since its constitution, the Committee has been collecting data of various categories of cases in the Courts throughout the country with a view to evolve a system of court management.

The Arrears Committee submitted a preliminary report to Hon’ble the Chief Justice of India for the consideration at the conference of Chief Justices held on 6th and 7th April, 2007. The Committee is in the process of finalising guidelines, suggestions and measures to bring down the period of ‘pendency’ of a case, as also to bring down the mounting arrears.

The Committee has also been undertaking several collateral projects. In the year 2007, two noteworthy projects have been commenced. The first project is in the nature of experimental pilot project to ascertain whether it is possible to reduce the overall pendency by disposing of cases pertaining to petty offences. The Arrears Committee has found that the main problem is really at the level of the Courts of the Magistrates. The Arrears Committee suggested the holding of Mega Lok Adalat in Delhi with the help of NALSA and DLSA for the disposal of the traffic offences and other compoundable offences. Accordingly, Mega Lok Adalat was held on 8th and 9th September, 2007 at four district centers at Tis Hazari, Karkardooma, Rohini and Patiala House and on these two days as many as 43,202 traffic challans and cases pertaining to the Weights and Measures Act, were disposed of, and a compounding fee of Rs. 63,33,535/- was collected. 51 Metropolitan Magistrates/Special Metropolitan Magistrates were deputed on 8th and 60 Metropolitan Magistrates/Special Metropolitan Magistrates on 9th. The experimental pilot project suggests that if
concerted effort is made in other large metropolitan cities, it is possible to dispose of a huge number of cases pertaining to petty offences. This will, by itself, drastically bring down the number of pending cases, and give room to Magistrates to concentrate on other cases, which need more attention.

The second project undertaken by the Arrears Committee is with regard to finding out ways and means of efficient settlement and disposal of motor accident claims. The pilot project in this regard is expected to be initiated in New Delhi and Bhopal during the course of the year. A computer software is in the process of being developed by the National Informatics Centre and assistance will be taken of law students in carrying out the research project. It is expected that if law students are actively involved in the venture and their involvement is meaningful and successful, law students all over the country can be involved in similar projects not only with regard to motor accident claim cases but also other categories of cases so that empirical data is available for the better administration of courts and management of cases.

The Arrears Committee has prepared White Paper suggesting broad ways and means of tackling the problem of arrears and backlog of pending cases. They are hereunder:-

(A) The Committee feels that the problem of arrears cannot be tackled by a generalized approach, taking the broad figures of pending cases all over the country and assessing the number of judicial personnel available. The experience of the Committee has shown that the only way to tackle the problem of arrears is to have an in-depth analysis and categorization of pending cases at every level namely, Courts of the Civil Judge, Junior Divisions, Judicial Magistrates of First Class, Metropolitan Magistrates, Courts of Civil Judge Senior Division, High Courts, Chief Judicial Magistrates, District Courts, and various Tribunals functioning in the States. Experience has shown that each High Court and each State has different problems. Statistics that have been obtained reveal bottlenecks at different levels.

(B) With the increased use of computers and the development of e-governance in the judiciary, it is necessary that in every State a specialized body should be set up, headed by retired judicial persons and assisted by professional managers. The mandate of this body would be:

(i) An analysis of topic-wise pending cases in the State at every level as for instance:
- How many criminal trials are pending and before whom;
- What did this trial pertain to;
- Why are trials being delayed and what are the factors causing the delay;
- How many land acquisition cases are
pending and at what level;
How many references are pending in the High Courts;
What are the issues and the references pending in the High Courts;
Are these issues already covered by judgments of the Apex Court.

- Identifying sales tax references
  How many sales tax references are made in the High Court;
  What are the points involved.
  This exercise has to be conducted for every type of case.

- All cases under Section 138 of the Negotiable Instruments Act.

(ii) The Committee would then make suggestions to the Chief Justice of the High Court to tackle specific areas or bottlenecks, taking one issue at a time. For instance, in the matter of sales tax references which are pending in the Court, after categorization of all the references, recommendations can be made to the Chief Justice as to how these issues are to be proceeded with.

(iii) The Committee would also identify and differentiate between on-track and off-track cases. There is software which has been developed, which would make available the status of each and every case pending in Maharashtra. The Committee would examine cases court-wise and prepare a list of cases which may be “dead, covered or which are negated, or which by reason of procedural defaults on the part of the person in carriage of the proceedings, the case cannot be proceeded with.” Such cases would automatically be put into what could be described as “negative list” and would therefore not be placed before the Court at all, unless the person prosecuting the proceedings removes the defects and brings it back on track. This would save considerable judicial time.

Apart from Court management and case law management which has been briefly touched upon above, another vital aspect of improving judicial efficiency and case management is judicial training at different levels and different phases. Judicial training can be divided at the level of :

a. National Judicial Academy
b. State Judicial Academies
c. Through Video Conferencing and distance education through National Judicial Academy
d. Providing Induction Training to Officers at both levels, i.e. State Judicial Academies and National Judicial Academy.
e. Special training in relation to specialized areas like plea-bargaining, gender justice and juvenile justice, etc.
Mrs. Pratibha Patil, Her Excellency the President of Union and the Hon’ble Judges, on her visit
Hon'ble the Chief Justice of India, along with Hon'ble the Chief Justice of India, on visit to the Supreme Court of India
"Chamber of Princess" - Now Part of Parliament House
Hon’ble the Chief Justice of India and Hon’ble Judges attended various Conferences abroad, shared the views with legal experts and had an exchange of ideas. Following are the conferences attended by Hon’ble the Chief Justice of India and puisne Judges.

7.1. International Conferences

1. Hon’ble Shri Y.K. Sabharwal, the then Chief Justice of India visited Washington and San Francisco, U.S.A. as Head of the Indian delegation to participate in the Fifth Indo-US Legal Forum Meet from 1st to 6th October, 2006. Hon’ble Mr. Justice K.G. Balakrishnan (as His Lordship then was), Hon’ble Mr. Justice B.N. Agrawal, Hon’ble Mr. Justice Ashok Bhan and Hon’ble Dr. Justice Arijit Pasayat were the other Members of the Delegation. The topics of discussion of the said Meet were: (a) The work of the Supreme Court; (b) Comparative Constitutional issues: Constitutional protections relating to affirmative action or positive discrimination; (c) References to, or use of, the work of Foreign Constitutional Courts.

2. Hon’ble Mr. Justice Dalveer Bhandari was a Key-note Speaker at the Inaugural Session of Management Team and Protocol Meetings organised by the Asia Pacific Advisory Forum on Judicial Education on Equality Issues at Karachi, Pakistan on 13th January, 2007. His Lordship delivered speech on “Gender Justice & Sensitization of Judiciary – An overview”. The Chief Justice of Pakistan and other Judges of the Supreme Court of Pakistan participated in the Conference.

3. Hon’ble the Chief Justice Shri K.G. Balakrishnan, along with Hon’ble Mr. Justice Ashok Bhan and Hon’ble Dr.
Justice Arijit Pasayat participated in the 7th Worldwide Common Law Judiciary Conference held in London, United Kingdom from 29th April to 3rd May, 2007. During course of the conference, Hon’ble the Chief Justice of India presented a paper on “Domestic application of International Human Rights Law: a view from India”. Hon’ble Mr. Justice Ashok Bhan presented a paper on “Challenges for Judiciary in the 21st Century” while Hon’ble Dr. Justice Arijit Pasayat presented a paper each on “Judicial Independence” and “Alternative Dispute Resolution”.

4. Hon’ble the Chief Justice Shri K.G. Balakrishnan, participated in the 12th Conference of Chief Justices of Asia and the Pacific in conjunction with the 20th Biennial Conference of LAWASIA held in Hong Kong from 4th to 8th June, 2007. His Lordship delivered a speech on “Overcoming delays in the Indian Judicial System”.

5. Hon’ble the Chief Justice Shri K.G. Balakrishnan, delivered a lecture on “The Independence of the Judiciary” at the Lincoln’s Inn on the occasion of a Symposium held in London on 25th June, 2007 and had interaction with Hon’ble the Lord Chief Justice Phillips and other members of House of Lords on various administrative matters. His Lordship had discussion with the Chairman and Members of the Bar Council of England and Wales about the working of the British law firms vis-à-vis settling their legal problems. His Lordship also visited Cambridge University to see the working of the Law College affiliated to the University to understand the system of legal education in England.

6. Hon’ble the Chief Justice Shri K.G. Balakrishnan, delivered a lecture on “Ensuring Governance: a view from India” at the Faculty of Law, Economics and Finance of University of Luxembourg on 27th June, 2007.


8. Hon’ble the Chief Justice Shri K.G. Balakrishnan, participated in the Regional Conference of the ILA hosted by the South African Branch of ILA (SABILA) at Pretoria (South Africa) from 27th to 29th August, 2007.

9. Hon’ble Mr. Justice H.K. Sema, participated in the Two-week Core Programme as a part of the Fourteenth Annual Intensive Study Programme for
Judicial Educators organised by the Commonwealth Judicial Education Institute (CJEI) held at Halifax, Nova Scotia (Canada) from 3rd to 15th June, 2007.

10. Hon’ble Mr. Justice P.K. Balasubramanyan, (since retired) attended the Round Table Meeting of Asia Pacific Judicial Reform Forum held at Putra Jaya, Malaysia from 27th to 30th May, 2007. On 28th May, 2007, His Lordship spoke on “Case Management Reforms: Experience of the Supreme Court of India and lessons learnt from this experience.”

7.2 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 in April, 2007. Resolutions pertaining to speedy disposal of cases, reduction of arrears, increase in the number of judicial officers, development of infrastructure, modernisation and computerisation of justice delivery system and strengthening of the legal aid movement were adopted.

7.3 Conference of the Chief Ministers of States and Chief Justices of the High Courts on Administration of Justice on Fast Track

A Joint Conference of the Chief Ministers of States and the Chief Justices on administration of justice on Fast Track was held on 8th April, 2007. Decisions were taken on providing adequate funds for upgrading and augmenting the infrastructure of subordinate Courts, for modernisation and computerisation of Courts, increase in the number of judicial officers, filling up of existing vacancies, strengthening of Alternative Dispute Redressal Systems, and implementation of earlier decisions, were taken.

7.4 Conference of Registrar Generals of High Courts and Law Secretaries of States and Union Territories

For the first time, a Joint Conference of Registrars General of High Courts and Law Secretaries of States was convened by the Registrar General, Supreme Court of India on 23rd December, 2006. A number of decisions on Court management, training of staff, and steps for improving coordination between the Executive and Judiciary in the States were taken.
The majestic dome of the Supreme Court building
Meeting of various Legal Forums, and visit of various foreign delegations to the Supreme Court were the significant events during the past. It offered a venue for interaction between the legal luminaries, and exchange of ideas.

8.1 Indo-US Legal Forum Meet

The fifth Indo-US Legal Forum Meet was held at Washington D.C. and San Francisco, California (U.S.A.) from 1st October, 2006 to 6th October, 2006. The first such Forum Meet was held in New Delhi in January, 1994.

8.2 Indo-Canadian Legal Forum Meet

The third Indo-Canadian Legal Forum Meet was held at New Delhi on 25th November, 2006. The first such Forum Meet was held in Ottawa in June, 1999.

8.3 Visit of Foreign Delegates to Supreme Court

A five-member Canadian delegation headed by Hon’ble Mrs. Beverley McLachlin, Chief Justice of Canada accompanied by His Excellency Mr. David M. Malone, High Commissioner for Canada in India visited Supreme Court of India on 24.11.2006 and had a meeting with Hon’ble the Chief Justice of India and Hon’ble Judges.

A three-member Pakistan delegation headed by Mr. Iftikhar Muhammad Chaudhary, Chief Justice of Pakistan visited Supreme Court of India on 27.11.2006 and had a meeting with Hon’ble the Chief Justice of India and Hon’ble Judges.

An eight-member Czech delegation headed by Mr. Petr Polednik, Vice President of the Czech Bar Association accompanied by three office bearers of the Advocates-on-Record Association visited Supreme Court of India on 29.11.2006 and
had a meeting with Hon’ble the Chief Justice of India and Hon’ble Mr. Justice K.G. Balakrishnan (as His Lordship then was).

4. A three-member Indonesian delegation headed by H.E. Dr. Parman Soeparman, Deputy Chief Justice of Indonesia accompanied by Mr. Amar Makruf, First Secretary in High Commission of Indonesia visited Supreme Court of India on 2.12.2006 and had a meeting with Hon’ble the Chief Justice of India and Hon’ble Mr. Justice K.G. Balakrishnan (as His Lordship then was).

5. A six-member Indonesian delegation headed by HC.J. Hatta Ali, Director General Court, Supreme Court of Indonesia accompanied by Mr. Amar Makruf, First Secretary in High Commission of Indonesia visited Supreme Court of India on 19.12.2006.

6. 25 MBA Students of first and second year and some members of faculty of Stanford University visited Supreme Court of India on 3.1.2007 and had a meeting with Hon’ble the Chief Justice of India.

7. A twelve member Afghan delegation led by Dr. Ghulam Farooq Wardak, Minister of State for Parliamentary Affairs visited Supreme Court of India on 26.2.2007 and had a meeting with Hon’ble the Chief Justice of India, Hon’ble Mr. Justice B.N. Agrawal, Hon’ble Dr. Justice Arijit Pasayat and Hon’ble Mr. Justice B.P. Singh.

8. A Chinese delegation led by Hon’ble Mr. Xiao Yang, Chief Justice of China visited Supreme Court of India on 2.4.2007 and had a meeting with Hon’ble the Chief Justice of India, Hon’ble Mr. Justice B.N. Agrawal and Hon’ble Mr. Justice Ashok Bhan.

9. A delegation of 36 lawyers and jurists of Fellows of American Bar Foundation headed by Mr. Richard Pena visited Supreme Court of India on 18.4.2007 and had a meeting with Hon’ble the Chief Justice of India, Hon’ble Mr. Justice B.N. Agrawal and Hon’ble Mr. Justice Ashok Bhan.

10. An 8 Member Shanghai delegation led by Mr. Judge Pan Furen, President of Shanghai No. 1 Intermediate People’s Court visited Supreme Court of India on 16.5.2007 and had a meeting with Hon’ble the Chief Justice of India.

11. Mr. Anthony Gates, Acting Chief Justice of Fiji visited Delhi on 24.5.2007 and had a meeting with Hon’ble the Chief Justice of India.

12. Mr. Rachid Sator, Charged’ Affairs a.i. Of Algeria in India visited Supreme Court of India on 28.6.2007.

13. A seven member Nepalese delegation headed by Hon’ble Kedar Prasad Giri, Senior Most Judge of the Supreme Court of Nepal visited Supreme Court of India on 13.7.2007 and had a meeting with Hon’ble the Chief Justice of India.
I recollect my first visit to the Supreme Court of India. It was in February 1955, when I was a High School student. My grandfather, Late Justice B.P. Sinha had been elevated to the Bench of the Supreme Court in December, 1954. The Supreme Court fell on my way home from my school, and I visited the Court whenever I got an opportunity, since I had decided to join the legal profession in due course. The Court was then housed in a portion of the Parliament House building known as the Princes’ Chamber. The Court then consisted of eight Judges including the Chief Justice and sat in two Benches of five judges and three judges respectively. I noticed that the Court premises were quiet. I did not notice the presence of many lawyers. Perhaps, on account of shortage of space the lawyers went back to their offices after finishing Court work. The number of lawyers was also not large, nor was the work load comparable to what we witness today. The Chief Justice presided over the five judge Bench located in the Princes’ Chamber on the Ground Floor. The other Bench of three Judges was located on the 1st floor, and one had to walk a little distance to approach the second Court Hall. The atmosphere in the court rooms was quite different from what we see today. Only five to six lawyers would be present in the Court Hall and one could only hear the Counsel addressing the Court. Interruption from the Bench was rare, and if at all, only to clarify their thinking without getting into an argument with the Counsel. The lawyer arguing the case was never interrupted by his opponent, and if he did so without justifiable reason, the Court took serious note of it. The proceedings were consequently solemn, virtually dull, when compared to what is witnessed in the Court Halls nowadays.

The Supreme Court building where the court is presently located was under construction.
The building was formally inaugurated by the President of India, Dr. Rajendra Prasad on 4th August, 1958. Elaborate arrangements had been made for the event but on that day there was such a heavy downpour that the venue had to be shifted to the Chief Justice’s Court Hall. It was a grand function and the speeches made by the President of India and the Chief Justice of India succinctly detailed the role to be played by the Supreme Court of India in the times to come.

Every member of the Bench and the Bar should read those speeches.

At the inauguration of the new Court building, the CJI said:

“To us it is more than mere magnificent mansion; to us it stands forth as a solemn and sublime symbol of the majesty of
law. The portals of this palace of Justice shall be open to every person who may seek redress for wrong, if any, done to him by his fellow men or by the State and justice shall be denied to none. The lowliest of the low, be he a citizen or a non-citizen, may as of right claim here equality before the law and shall receive from this temple of justice equal protection of the laws. The writ of this Court will issue from this citadel of law and justice and run to the furtherest corner of this vast country bringing adequate relief to the oppressed and just retribution to the wrong doer, whoever he may be. It shall be the constant endeavour of all of us, charged with the solemn and sacred duty of administering justice, to do right to all manner of people after the laws and usages of our country and to discharge our functions without fear or favour, without affection or ill-will and to hold the scale of justice even as between man and man, State and State and as between the States and the Union and above all as between the Union or the State and the man.”

He also recalled the solemn words of Chief Justice Kania at the inaugural sitting of the Supreme Court on 28.1.1950:

“The Supreme Court, an all-India Court, will stand firm and aloof from party politics and political theories. It is unconcerned with the changes in the Government. The Court stands to administer the law for the time being in force, has good-will and sympathy for all, but is allied to none. Occupying that position, we hope and trust, it will play a great part in the building up of the nation and in stabilizing the roots of civilization which have twice been threatened and shaken by two world wars, and maintain the fundamental principles of justice which are the emblem of God. We hope and trust the Court will maintain the high traditions of the judiciary and perform its duties without fear or favour.”

Dr. Rajendra Prasad on opening the new Supreme Court building, paid a special tribute to the Judges. He said:

“We have therefore taken care to collect together in the Supreme Court from all over the country
some of the best legal talent to occupy the Bench to dispense justice. They have so far fulfilled the expectations of all. I have no doubt in my mind that our Judges will continue to give satisfaction, by their learning, integrity and impartiality.”

He made an appeal to all concerned, to tackle the perennial problem of delays:

“While there is a general satisfaction with the quality of justice dispensed, we hear complaints in regard to one matter, and that is delay in the disposal of disputes coming up before Courts. Whether such delay is due to rules of procedure, paucity of time, shortage of personnel or to any other cause, there is no doubt that in many cases delay does occur and it is up to the legislators as well as judges to see to it that delay is reduced to the minimum. This delay occurs all along the line, from the preliminary stages right up to the highest Court of Appeal. It should not be taken lightly because justice delayed is in many cases justice denied. I believe vigilance and supervision could help in improving matters.”

Commenting on the role of lawyers, he said:

“I think also that the expenses of litigation should be reduced as far as possible. But whether it is a question of delay or a question of expenditure, the Bar, no less than the Judges, have to play their part, particularly in the peculiar circumstances of this country.... In maintaining the high standards, the Bar plays no less important a part than the Judges. Moreover the Bar provides the field from which Judges are recruited and furnishes not an inconsiderable number of persons in public life and public service. It is therefore necessary to foster and strengthen it...”

He concluded by stating:

“In the welter of politics and political parties and ideologies, the courts of justice furnish the one stable element, and if they, with the Supreme Court at the apex, from which they should draw inspiration and sustenance continue to hold their own by fair and just decisions and no less by their quick disposal of disputes, we can look forward with confidence to the future for steady growth and progress.”
The new Court building looked very grand with tall pillars resembling those of the Parliament House. There were however, critics who found that the building was not functionally suited to the needs of the Court. In particular, it was said that the library was far away from the court rooms. It was also observed that the lawyers and litigants coming out of the air conditioned court rooms were suddenly exposed to the elements. In case it was raining heavily, they found it difficult to reach the Bar Room. Moreover no provision had been made for lawyers’ chambers. Only five court rooms had been planned since it was not expected that in due course many more court rooms would be required. The first block of lawyers’ chambers came up shortly thereafter, about 35 in number in a “L” shaped construction. Chambers were allotted mostly to Advocates on Record, but for quite some time most of the Chambers were kept locked and only some were being utilized by the allotees. It was only after mid 1960s that Lawyers found it convenient to utilize this facility available to them.

To begin with there did not exist Advocates on Record. There were Agents who instructed Counsel and this continued till mid 1950s. Any Counsel who intended to appear before the Supreme Court had to get himself enrolled as an advocate of the Supreme Court after completing eight years of practice in a High Court. The Court found that the system had not worked satisfactorily. Lawyers who were meritorious, set up a good practice in the High Court within eight years, and therefore did not feel encouraged to shift their practice to the Supreme Court. Those who failed took a chance before the Supreme Court. This system was therefore discontinued and the institution of Advocates on Record was introduced. There was no qualification in terms of years of practice, but one intending to become an Advocate on Record was required to undergo training for a period of one year with an Advocate on Record having ten years experience. The examination conducted by the Supreme Court was a tough examination and the percentage of those who passed was small. It was held twice a year in June and December.

The Advocates on Record did not have a separate association. That came into existence in the year 1986. It so happened that the Supreme Court Bar Association in its General Body meetings discussed many issues of national and international significance and passed resolutions on such issues. It was felt that the Association could not spare time to discuss the small problems faced by the advocates on record. I had discussions with my good friend Late R.B. Datar and the idea of having a separate association of advocates on record was mooted. The suggestion was welcomed by a large number of advocates on record. I presided over the first meeting where a decision was taken to get the association registered. I continued presiding over the
meetings that were held thereafter to draft the Memorandum and the Rules. Thereafter the Advocate on Record Association was registered. The Advocates on Record Association was not conceived as a rival of the Supreme Court Bar Association. It was therefore decided that only a member of the Supreme Court Bar Association would be eligible to enroll as member of the Advocates on Record association. The latter association was however, to confine its activities to matters that directly concerned the advocates on record. Later it took a great deal of persuasion to persuade Late R.B. Datar to be its first President. The association has since earned recognition and distinction for its constructive role in highlighting advocate and court related issues.

The relationship between the Bar and the Bench was most cordial, strengthened by the mutual respect and trust that they had for each other. On many occasions when delicate issues arose, the Bar stood solidly behind the Bench in its support. I cannot forget the scenes that I witnessed when supersession of judges took place in 1973. Barring a few exceptions, the entire Bar deprecated the supersessions, as it threatened the very independence of the judiciary.

I was privileged to assist almost all the then leading members of the Bar. To name a few, I assisted Mr. M.C. Setelvad, Mr. C.K. Daphtary, Mr. A.V. Vishwanath Shastry, Mr. A.K. Sen, Mr. S.G. Gupte, Mr. G.S. Pathak, Mr. Purushottam Trikamdas, Mr. S.T. Desai, Mr. A.S.R. Chari, Mr. Nooruddin Ahmad, all leading members of the Bar. Each one of them deserves to be adored for his kindness to the junior members of the bar, their brilliant advocacy, court manners, and devotion to duty, apart from their depth of knowledge and brilliance. Mr Setalvad’s meticulous preparation and brevity earned him respect. Mr. Daphtary, Mr. Gupte, Mr. Vishwanath Shastry, and Mr. A.K. Sen had a tremendous capacity to think even when they were on their legs. The junior had to work really hard to brief them. The seniors devoted enough time with their juniors in the preparation of briefs. Initially the seniors were reluctant to accept briefs in different courts and preferred to accept briefs in the same court to avoid a situation where they were required in two courts at the same time. However, with the increase in workload, this practice made a gradual exit. Yet one practice was strictly followed, namely, that a senior did not accept two briefs in different courts if both were at the top of the list. The court never agreed to accommodate counsel if he had deliberately placed himself in such a situation.

There were many senior and eminent members of the Bar who commanded great respect. I remember one instance when Late A.S.R. Chari, a leading criminal lawyer was arguing a Special Leave Petition for admission. The Bench was presided over by the then Chief
Justice A.K. Sarkar. The Bench was not impressed by his arguments and dismissed the petition. Mr. Chari then observed that he had carefully considered the record of the case and in his view the matter deserved consideration. Saying this he got up and was about to leave the court when the Chief Justice requested him to wait. After consulting his brother judges, the Chief Justice observed that since Mr. Chari strongly felt that the matter required consideration, the Court had changed its mind and decided to grant leave.

Such incidents did not happen every day. A senior counsel never said so unless he strongly felt that way, but if he did, the court gave due weight to his view.

Chief Justice B.P. Sinha was considered to be very strict where compliance with rules and practice was concerned. It was then a settled practice that the list of books and reports to be cited must be given well in advance so that they could be made available to all the judges when cited. Mr. A.V. Vishwanath Shastry was appearing in a matter before the Bench presided over by the Chief Justice. It appears that during the luncheon interval he came across a judgment of the House of Lords which he thought was on the point and deserved to be brought to the notice of the Court. After the recess he continued his argument and at the appropriate stage wanted to cite that judgment. It was found that the report had not been included in the list of books submitted to the court. As I recollect, this is what happened:

"Mr. Vishwanath Shastry : I wish to read only one passage from this judgment which succinctly lays down the correct principle.

Chief Justice : But we can’t permit you to do so, since we do not have the report which you wish to cite. You will have to wait till the books arrive.

Mr. Vishwanath Shastry : I must read that passage to Your Lordship now because this is the appropriate time to bring it to your notice.

Chief Justice : Sorry, we can’t permit you to do so.

Mr. Vishwanath Shastry : My Lords, I realize my mistake but the loss is not entirely mine."
The Judges smiled, and the Chief Justice requested Mr. Vishwanath Shastry to read the passage slowly.

Mutual respect was the hallmark of the relationship between the Bar and the Bench. But some incidents did provoke the lawyer or the judge to retort firmly, almost a challenge. One such incident took place one day when a Presiding Judge was in an awful mood, and any lawyer who appeared on that day got a raw deal. The Presiding Judge observed in a case being argued by a lady lawyer that he would send the counsel to jail if the order was not complied within 24 hours. The counsel very gently pleaded that some more time may be given and all efforts shall be made to comply with the order. In any event, she pleaded, she could not be held personally liable. The judge virtually rebuked her and threatened to take action. A very senior and respected counsel known for his humility and good manners, who was sitting in court, could not take it any more. He got up and told the judge that his behaviour that day was awful and it did not behove a judge to behave in the manner he did. He also made many other comments which I do not wish to repeat here. Thereafter he said that by saying what he had said, he had committed contempt of court and the court may initiate proceeding against him. This was almost a challenge to the court. However, good sense prevailed and the matter rested there. The incident highlighted not only the fearlessness of the Bar when the occasion arose, but also the concern of the Seniors for the junior members of the Bar. The junior members of the Bar felt protected in the presence of their seniors.

I remember another incident when I was instructing Mr. M.C. Setalwad who was arguing an appeal. The learned Chief Justice addressed questions to me directly, and on all occasions I instructed my senior who gave the information to the Court. The learned Chief Justice who observed my conduct then asked my senior as to why questions put by him to me were answered by him on my instruction. Mr. Setalwad replied that it has been the practice of this Court that when a senior counsel is on his legs, only he shall address the court, and it was only proper on my part to instruct him and not to address the Court directly when he was on his legs, or without his permission.

Those were the days when a senior did not accept the credit for anything which rightly belonged to his junior. If it was the junior who with his thorough preparation and hard work was able to instruct his senior to reply to an unexpected query from the Bench, and the Court expressed its pleasure for the prompt response, the Senior would tell the Court candidly that the credit was not due to him, but to his junior. Such recognition was a great source of encouragement to juniors. Very frequently judges paid compliments to junior members of the Bar for
their excellent performance. Compliments and recognition coming from the Bench and senior members of the Bar provided immense encouragement to the younger generation of Lawyers.

In November, 1963 when I directly joined the Supreme Court Bar, the atmosphere in the Supreme Court was not much different from 1955. About 100-125 lawyers regularly came to the Court. But by then the strength of judges had increased to 14. The practice of hearing admission matters only on Mondays had long been discontinued and instead admission cases were listed every day. Normally five or six Admission cases were listed in each Court, and if on any day 10 or 12 matters were listed it was considered to be a very long list. Invariably the Court started hearing regular matters by about 11 or 11.15 AM. For listing the admission matters, there used to be settlement of list. A tentative list of admission matters was prepared and circulated. On every Wednesday at 4.10 PM the lawyers assembled in Room No. 7, where the settlement took place. The Deputy Registrar (Judicial) assisted by an Assistant Registrar called out the matters one by one and to the extent possible the matters were listed on any of the dates in the following week according to the convenience of Counsel. Adjournment of cases after they were listed was unknown and only in very rare cases was adjournment granted. Request for 'pass-over' was also not known. There was also no such thing as mentioning of matters. Only on rare occasions was a matter mentioned before the Chief Justice at 10.30 AM. The opposite counsel would not interrupt the Counsel addressing the Court, nor did the Judges interrupt. There was no great hurry to dispose of matters. There was no noise, no tension, no heat. This continued till mid 1970s. Thereafter the work load increased, so did the excitement and noise in the Court Halls. The Court Halls became packed, the corridors overcrowded, and even entry into court Halls became difficult on some days. At times it became necessary to remind those in the corridor that the Court was in session.

In exercise of its jurisdiction under Article 136 of the Constitution of India, the Court was not very generous, since it was felt that the Supreme Court could not possibly correct all errors committed by High Courts. The Court therefore entertained only those matters which were considered fit for consideration by the highest Court of the land. Special leave petitions against Interim Orders, refusal of bail, orders of remand were rarely entertained. There was no practice of issuing notices in all Special Leave Petitions. If the Court found that there was a point that deserved consideration, it granted special leave. On the prayer for interim relief, either it was refused or granted subject to notice of motion. The filing of Affidavits was therefore confined to the prayers for grant of interim relief. For deciding the matters
on merits, the Court relied solely upon the material before the High Court.

After an appeal was admitted for hearing, the records were called for from the High Court. On receipt of the record notice, the Advocates of the parties who were required to inspect the record and file their index of documents to be included in the appeal paper book. The settlement of the index of paper book was done by the Deputy Registrar (Judicial). Very often, if the inclusion of any document was objected to, the lawyer insisting for its inclusion had to satisfy the settlement officer that the document was necessary for disposal of the case, or was at least relevant for consideration of the issues involved. This gave an opportunity to the young lawyers to familiarize themselves with the record of the case and to appear before the Deputy Registrar and make small submissions. This was also a source of some earning for the struggling juniors. After the record was printed and a paper book prepared, the Appellant had to file the statement of case followed by the Respondents statement of case which were bound with the paper book for the use of Judges. Initially the statement of case was read carefully by Judges and there were cases in which the Court did not permit the Counsel to urge a point not taken in the statement of case. However, later the filing of statement of case was dispensed with liberally since it was found that in course of time the statement of the case lost its value since it had become a formality and not much thought was bestowed on preparation of the statement of case. At about the same time, printing of the record was also dispensed with freely on account of the high cost involved. This unfortunately was understood to mean that the preparation of the paper book itself had been dispensed with. Rather than printing the appeal record, parties were permitted to file cyclostyled paper books. On this front it became worse when the Court started passing orders dispensing with preparation of paper book and hearing of cases on the basis of the Special leave paper book together with additional documents. As a result, nowadays Supreme Court does not have a properly prepared paper book for the convenience of the Court and the lawyers. Additional papers are filed in a haphazard manner with no sequence or pagination. The translation of documents included in the paper book is often not only inaccurate, but horrifying. This, despite the fact that the Supreme Court Rules contain provisions regarding the manner in which paper books are to be prepared and documents translated. The amendment of the Supreme Court Rules or issuance of appropriate directions from the Hon’ble Chief Justice is necessary. Similarly the preparation of the synopsis and list of dates leave much to be desired. They are either sketchy or unnecessarily long, giving no assistance to the judges. It leaves an impression that it was prepared without application of mind.
With the increase in the volume of litigation and the numerous adjournments sought for, the atmosphere in the Court underwent a sea-change. The Supreme Court Rules are not observed. From the paper books handed over to the Judges it is difficult to locate documents referred to by Counsel. It is often not known whether the document formed part of the High Court record. Its authenticity is also not established by proper certification. The quiet and peaceful atmosphere of the court room no longer exists. At times the lawyers on both sides are found talking at the same time. Heated discussions are also witnessed. Apparently on account of pressure of work, the atmosphere has changed. But I still believe that the Bar must maintain the discipline and decorum that existed in the past. Similarly, frequent interruptions from the Bench would only prolong the matter, apart from disturbing the chain of thought of Counsel on his legs. The Advocates on Record are hardly present when their matters are argued and sometimes the Counsel arguing the matter is at a loss to find an answer to the query put by the Court. The wholesome practice that demanded that neither the Senior Counsel nor the Judge should be left alone in the Court Room has been forgotten. There is no training of lawyers in the decorum and practice of the Court, nor do they learn by emulation, since there are not many from whom they can learn.

How I wish we could go back to the times when lawyers were well prepared and argued with dignity and sobriety, Judges heard patiently and thoroughly, and the younger generation of lawyers learnt their lessons from their respected seniors. To restore the atmosphere of the Court as it used to be may be an uphill task, but it may be worth while making an attempt to restore the grand atmosphere of the court by reminding ourselves of the court decorum and the healthy practices that existed in the past.
View of the Eastern Wing
REGISTRARS

T. SIVADASAN
Registrar (Judl.I)

SUBHASH MALIK
Registrar (Admn. J)

M.P. BHADRAN
Registrar (Court)

CONSULTANT (PROTOCOL)

R. C. GANDHI

SUNIL THOMAS
Registrar (Admn.)
10.1 **Strength**

The total work of the Registry has been divided into various categories and work assigned to any one category is handled by a Unit called Section. There are 1770 posts in the Supreme Court Registry out of which 1229 are permanent posts. There are 221 Gazetted Officers, 805 Non-Gazetted and 744 Class IV employees in the Registry.

10.2 **Steps taken in Recent Past for Toning Up of Administration**

1. **Summer Vacation Training**

   During the last Summer Vacation, necessary training and guidance was imparted to the members of the staff (Junior Court Assistants, Court Assistants and Senior Court Assistants) with regard to practice, procedure and Supreme Court Rules, 1966 and Supreme Court Officers and Servants (Conditions of Service & Conduct) Rules, 1961. Computer Training was also imparted to the staff with effect from 18th June, 2007 to 29th June, 2007.

2. **Public Relations Officer**

   For the first time in the history of Supreme Court of India, an Officer has been nominated as Public Relations Officer of the Court to attend and respond to enquiries, guide and assist litigant and public, Advocates and media persons and provide information to them.

3. **Constitution of Redressal mechanism for dealing with complaints of Sexual Harassment of Working Women**

   In compliance of guidelines and norms laid down by Hon’ble Supreme Court in the case of Vishaka & Ors. v. State of Rajasthan & Ors. (1997 Supp. 3 SCR 404) to prevent sexual harassment of working women, a five members
Complaints Committee has been constituted to receive and enquire into complaints of sexual harassment of women employed in the Supreme Court Registry.

4. **Right to Information Act, 2005**

Under the Right to Information Act, 2005, 571 applications were received by the Central Public Information Officer (Additional Registrar (Admn.)) during the relevant year, out of which, 569 applications were responded to by the authority. Out of the 58 appeals filed, the First Appellate Authority (Registrar (Admn.)) disposed of 53 appeals.
E-COMMITTEE AND INFORMATION TECHNOLOGY IN SUPREME COURT

It is well recognized that the main problem challenging the Indian justicing process is the mounting arrears and long delays. The Indian judiciary comprises of nearly 15,000 courts situated in 2,500 court complexes located throughout the country. The total pendency of cases in the subordinate courts as on date, is around 25 million. About 37.12 lacs cases are pending in the High Courts, and 44,819 cases are pending in the Supreme Court as on 30.9.2007.

In the Indian Judiciary, efforts for computerization of some of its processes have been going on since 1990. Need was, however, felt to make the program of Information and Communication Technology (ICT) enablement of the Indian Judiciary mission-critical. There was an overwhelming realization in the judicial sector in favour of devising a National Policy and Action Plan with appropriate spread and phasing to implement ICT in courts across the country and their web-based interlinking.

11.1 E-Committee

In order to achieve the said objective, the then Chief Justice of India, Hon'ble Mr. Justice R.C. Lahoti made a proposal to the Central Government for constitution of an E-Committee to assist him in formulating a National Policy on Computerization of Indian Judiciary and to advise technological, communication and management related changes. Appreciating the desirability of constitution of such a Committee, the Union Cabinet approved the proposal. Consequently, office order dated 28.12.2004 was issued by the Ministry of Law and Justice constituting the E-Committee under the Chairmanship of Dr. Justice G.C. Bharuka, a former Judge of the High Court of Karnataka, with three other specialist members. 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 time bound implementation. This Committee was 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.

The E-Committee prepared a Report on Strategic Plan for Implementation of Information and Communication Technology in Indian Judiciary which was presented to the then CJI on 11.05.2005. After required consultations with all the stakeholders, experts and service providers, the E-Committee framed the National Policy and Action Plan for Implementation of Information and Communication Technology in the Indian Judiciary, which was approved by the CJI on 04.08.2005.

The National Policy 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 June 2006, the Union Cabinet declared the project to be one of the Mission Mode Projects under the National E-Governance Plan and on 08.02.2007, accorded sanction to the budgetary requirements for its implementation.

The E-Courts project is to be implemented in three phases over a period of five years. PHASE I has now commenced. It extends over a period of two years. The ICT components which are to be introduced in the judiciary during this period are the following:-

- Creation of computer rooms and Judicial Service Centers in all the 2,500 Court complexes
- Establishment of digital inter-connectivity between all the Courts from the taluka level to the Apex Court
- State-of-the-art video-conferencing facilities at Supreme Court, High Courts and all the District Court
- Wi-fi facilities in Supreme Court and High Courts
- Around 15,000 Judicial Officers would be provided with laptops
- Extensive ICT training to Judicial Officers and Court staff
- Arranging of awareness programs and training modules for lawyers
- Creation of well structured database of all the stakeholder, Courts, cases with user-friendly retrievable facilities
- Digital archiving of Supreme Court and High Courts
- Creation of e-filing facility in Supreme Court and High Courts
• Upgradation of ICT infrastructure of Supreme Court and High Courts

• Extensive process re-engineering and change management exercises

• Development of comprehensive and integrated customized software application for the entire judicial system with regional language support

At the end of this Phase, the following goals are sought to be achieved:

• Capacity building of the Judges – primarily, the subordinate court Judges – for delivery of speedy and quality justice

• Creation of National Judicial Data Center to provide litigation trends in the country for all levels and geographical locations supporting better management and policy decisions

• ICT modules would be available for assessing work performances

• There would be instant availability of status of cases, judgments and orders of all Courts through Internet, kiosks and Judicial Service Centers

• ICT would facilitate case flow management, online accessibility of orders, judgments and case related data

• Wireless connectivity to lawyers in and around Court complexes for accessibility of case status, cause lists, judgments and orders

• Digital production of under-trial prisoners and distant examination of witnesses through video-conferencing

• Facilities for e-filing in the Supreme Court and High Courts

**PHASE II** will be of duration for two years, during which the Committee proposes to provide ICT coverage of judicial processes from filing to execution and all administrative activities. The steps intended to be adopted in this Phase are:

• Complete Automation of Registry level processes

• Digitalization of Law Libraries and Court Archives

• Digital availability of case laws, statute laws and law literature through the website of Indian Judiciary

• Availability of video conferencing facilities at all Court complexes

• Facilities for e-filing in all the District and subordinate Courts

All this, it is hoped would help to realize the following targets:

• Automate registry level (ministerial) processes eradicating delays, harassment and corruption at this level
• Online availability of legal resources to the Judges, lawyers and public at large
• Availability of e-filing facilities at District and subordinate Courts

**PHASE III** will be of one year, during which it would lead to the creation of Information Gateways between Courts and Public Agencies and Departments and use of advanced ICT and scientific tools. The specific programmes sought to be implemented would be:

• Establishment of Information Gateways between Courts and police stations, prisons, land record and registration offices as also other governmental agencies
• Use of bio-metrics and other high-end scientific tools

The implementation of this Phase it is hoped would lead to:

• Availability of online information between the Courts, prosecuting and investigating agencies, prisons, land records and registration offices thereby accelerating disposal of civil and criminal cases
• Bio-metrics and scientific tools would help in identifying habitual criminals, professional witnesses and litigants and in resolution of complex factual disputes.

It is expected that the use of technology would rejuvenate the Indian judicial system and accelerate case progression to reach its logical end within a set time frame. It will lead to complete demystification of the adjudicatory process thereby ensuring transparency, accountability and cost-effectiveness.

**CABINET APPROVAL OF FUNDS**

Funds of Rs 441.80 crores have been approved by Cabinet for following expenditure in Phase I of the project.

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Items</th>
<th>Cost (in Rs crores)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Creation of computer room at all the court complexes</td>
<td>36</td>
</tr>
<tr>
<td>2</td>
<td>Provision of laptops to judicial officers and judges</td>
<td>40</td>
</tr>
<tr>
<td>3(a)</td>
<td>ICT training for judges and court staff</td>
<td>12</td>
</tr>
<tr>
<td>3(b)</td>
<td>Technical manpower for 2 years</td>
<td>31</td>
</tr>
</tbody>
</table>
National Launching of the e-Courts Project, by Dr. A.P.J. Abdul Kalam, the then President of India, in the presence of Hon’ble Chief Justice of India, Shri K.G. Balakrishnan, Shri H.R. Bhardwaj and Shri A.Raja, Union Ministers and Dr. G.C. Bharuka, Chairman, E-committee
<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Computer Hardware (servers, clients, printers, scanners, projectors etc.)</td>
<td>123.71</td>
</tr>
<tr>
<td>System software, office tools etc.</td>
<td>13.2</td>
</tr>
<tr>
<td>Digital Signature</td>
<td>1.3</td>
</tr>
<tr>
<td>Smart Card Solutions</td>
<td>1.8</td>
</tr>
<tr>
<td>Communication &amp; connectivity including LAN</td>
<td>50</td>
</tr>
<tr>
<td>Power backup (UPS, DG sets, Solar Power sets)</td>
<td>40</td>
</tr>
<tr>
<td>Development of Application Software</td>
<td>3</td>
</tr>
<tr>
<td>Upgrading ICT infrastructure of Supreme Court &amp; High Courts</td>
<td>43.8</td>
</tr>
<tr>
<td>Creation &amp; Up-gradation of centralized facility for system administration</td>
<td>6</td>
</tr>
<tr>
<td>Video Conferencing in approximately 500 locations</td>
<td>20</td>
</tr>
<tr>
<td>Wi-Fi facility in Supreme Court &amp; High Courts</td>
<td>1.5</td>
</tr>
<tr>
<td>Process reengineering</td>
<td>2</td>
</tr>
<tr>
<td>Project Management consultancy, Monitoring and Change management</td>
<td>16.5</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>441.8</strong></td>
</tr>
</tbody>
</table>

The second and third phase of the project has also been in principle approved by Cabinet

**National Launching of E-Courts Project**

Dr. A.P.J. Abdul Kalam, the then President of India, launched the National E-Courts project for extensive computerization of Courts on 9th July, 2007 at Vigyan Bhawan, New Delhi in the presence of Hon’ble Shri K.G. Balakrishnan, Chief Justice of India, Dr. H.R. Bharadwaj, Hon’ble Union Minister for Law and Justice, Mr. A. Raja, Hon’ble Union Minister for Communication and Information Technology, Judges of Supreme Court and High Courts and other Senior judicial and legal functionaries. The function was organized by the Supreme Court of India.

In his address, the President appreciated the substantial progress made by the Courts in improving the justice delivery system, and the specific efforts for bringing down the pendency of cases, fast settlement of cases, especially pertaining to women and children and use of technology for handling certain special cases.
Dr. A.P.J. Abdul Kalam, inaugurating the e-Courts Programme, while Hon’ble the Chief Justice K.G. Balakrishnan, Dr. G.C. Bharuka and Shri A. Raja looks on
The President expressed his vision to create E-judiciary by establishing the Judicial E-governance grid from district Courts to the Apex Court, thereby creating a vertical, E-Governance grid covering the whole judicial system of the country. He concluded by stressing that E-judiciary will be an enabler in the realisation of transparency, speed and equity in the decision making process.

The laptops have been provided to the judicial officers in the country and they are undergoing extensive ICT training.

11.2 Information Technology

National Informatics Centre has since long contributed much in the computerization of Supreme Court. National Informatics Centre and the Registry have received valuable guidance from Hon’ble Judges in the development of Information Technology in Supreme Court.

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.

Following are some of the web-enabled applications that have been successfully implemented at Supreme Court. These applications have either directly or indirectly benefited the citizens of India.

**SUPREME COURT OF INDIA WEBSITE**

**www.supremecourtofindia.nic.in**

The website was developed by NIC for the Supreme Court of India. The website provides the following information to public/litigants/advocates on Internet with respect to Supreme Court of India.

1. **Constitution**

   This option provides the information about the Law, Court and Constitution of the Supreme Court of India. This provides the detailed information on 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.

2. **Jurisdiction**

   This option explains 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.

3. **Golden Jubilee**

   This option provides the detailed programme schedule of celebration in the Golden Jubilee Year of constitution of Supreme Court.
4. Rules

Entire information of The 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 are available on website.

5. Former CJIs

This option displays the photo gallery of former CJIs of Supreme Court along with their bio data.

6. CJI & Judges

This option displays the photo gallery of sitting CJI and Judges of Supreme Court along with their bio data.

7. Former Judges

This option displays the photo gallery of former Judges of Supreme Court of India along with their official bio data.

8. Calendar

This option publishes the current and last year’s calendar on internet for the benefit of public/litigants/advocates for knowing the work days and holidays of Supreme Court of India.

9. Registrars

This option displays the bio data along with photograph of Registrar General and Registrars of Supreme Court of India.

10. Display Board

Court wise listing of the cases is made available on Internet for the benefit of lawyers and litigants. This information is updated after every 30 seconds. One can plan for his/her appearance in the Court Room accordingly and they need not wait outside the Court just for knowing the current items being listed in the Court, as it used to be earlier.

11. Speeches

The speeches delivered by Hon’ble the Chief Justice of India and Judges delivered from April 2005 onwards are available on the Website. In addition to the Speeches, Supreme Court Handbook of Information, and Information about Supreme Court Museum are also available on the Website.

12. Miscellaneous

Information about Monthly Statements and Pending Cases, Tender Notices, Purchase Procedure, Policy for Acquisition of Books for Supreme Court Library and Information about Right to Information Act are available on the Website.
This website also provides links to other websites like Judis, Daily Orders, Case Status (COURTNIC), and Cause List, India Code (all the latest Acts and Legislation passed by the Indian Parliament).

This website also provides few links to other options like information regarding Legal Aid, Supreme Court Legal Service Committee, Ministry of Law and Justice etc.

**CASE – STATUS**

The web provides Supreme Court’s status information about pending and disposed cases to litigants/advocates on Internet. ‘Case-status’ gives the latest information with respect to the status of a case which could stand as: Disposed/Adjourned, 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. Pending case status can be accessed through: Case Number, Title, Advocate names and Lower court details.

When a case is filed in the Supreme Court, its ‘Case-status’ is made available on the web, giving filing details, such as Diary number, Date of filing, etc. Litigants can find out whether their cases have been filed in the court or not without contacting their advocates. The ‘Case-status’ also provides all orders pertaining to the case, delivered by the court. The litigants can maintain their own case files by downloading the orders. ‘Case-status’ receives hundreds of hits every day.

An advocate can download all his cases whether pending and disposed of, and can maintain his own database.

**JUDIS**

The Supreme Court with assistance of NIC has brought out a web-enabled retrieval system called ‘Judgment Information System’ (JUDIS) on Internet incorporating the complete text of all reported judgments of the Supreme Court from 1950 to date.

Access thereof can be had through: Party name, Advocate, Date of judgment and, more importantly, through free text search. The free text based search enables the users to retrieve all relevant judgments on a particular subject. They are made available on the website within 24 hours of their pronouncement in the court.

**CAUSE LISTS ON INTERNET**

Cause lists contain scheduling of cases to be heard by the Courts. The Daily, Weekly, Advance and Supplementary cause lists of Supreme Court are also available on NIC Web Servers.

**DAILY ORDERS ON INTERNET**

The daily orders of the Supreme Court are
available on the web. After signing of the court’s orders by Hon’ble Judges, they are made available on Internet within 24 hours. These orders are only for the information to the litigants. It is the easiest way to get a copy of the latest order delivered in the court. The free text based search enables the litigants to also access relevant orders of the court on the same subject. It helps the litigants in accessing orders without knowing the case number or party name.

APPLICATIONS IMPLEMENTED

Following are some of the important applications implemented in the Supreme Court since 1990, which has helped the Registry in streamlining its routine activities and to assist advocates and litigants.

I. **Filing Counter Computerization**

Fresh cases are filed only at the computerized Filing Counters. As the advocates or parties-in-person tender the cases on the counters, the data entry Operator enters preliminary details of the case, such as Party names, advocate details, etc., required for the purpose of Registration. Filing receipts are generated; Court fee and limitation are calculated and the case is registered; filing information along with defects notified, if any, are made available on Internet.

II. **List of Business Information System (LOBIS)**

It contains pending and disposed of cases since 1990. The size of the database is about 7 lakh records. It is near time-critical application as the Cause Lists are generated by the computer system by the closing hours of Court every day. This application is also used for bunching/grouping technique, which enabled Registry to bring down the pendency in the Supreme Court.

III. **Court Orders/Proceedings Computerization**

This software for daily orders delivered in Courts 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. on the screen. The Court Masters type the order part noted by them in the Courtroom as also other requisite details.

IV. **Record Room Computerization**

It keeps track of files and records consigned, weeding of files, Records; Movement of files and Tracing of files.

The core functions of the Record Section of the Supreme Court are the maintenance of all types of disposed matters, paper books of disposed of civil appeals, daily list, and old
registers of filing counter. Apart from the above, it also deals with registration of Trainee Advocates, Advocates-on-Record Examination, designation of Senior Advocates, Registration of the Clerks of the Advocate-on-Record, Advocates Complaints, Issue of Circulars received from various High Courts and other departments for appointment of standing counsel etc., and amendment of Supreme Court Rules.

Total number of files consigned in the Record Room from the year 1950 till date is 13,31,861. In the Scanning Cell of the Record Sections, about 12,000 files of period 2000 to 2004 are scanned. Tender process for entrusting the scanning work of the other records in the Record Section is expected to be completed shortly.

V. Statistical Reports

Every month Statistical report is generated on the institution, disposal and pendency of various types of cases in the Supreme Court.

VI. Judicial Sections

All Judicial Sections are provided with computer systems for updating the case databases pertaining to their sections; Minimizing movement of files; Generation of notices; Generation of Dismissal letters; Registration of cases; Disposal of cases; Finding status of cases; etc.

VII. Supreme Court’s Digital Display Boards on Internet

Display Boards are installed in the Supreme Court to display courts-wise items or numbers of cases being heard in each court.

An application tool to convert the LED based Digital Display of the display board into ASCII was developed and made available on Supreme Court’s Web Site. The Digital Board Information can be accessed at http://supremecourtofindia.nic.in.

VIII. Copying Section

A software module has been developed and implemented to help the Registry in streamlining the process of issuance of certified orders/Judgments of the Supreme Court to Advocates /parties.

When an advocate or party concerned applies for certified copy, required mandatory details of the case are entered into the computer and a computer generated receipt is issued to the applicant. The registration no. is used to keep track of the status of the application such as: whether it has any defect, is under process, or ready, etc. Through this software a number of reports required by the section are generated.

IX. Legislation Information System

It contains information relating to all
Central Acts enacted by the Parliament and published in the Gazette. Complete information of an Act right from the bill stage till its enactment is maintained in the computer. This software helps the legislation section in retrieving complete details of an Act through: title, catchwords, subject, year, etc.

X. Receipts And Issue Section

A software module has been developed and implemented for the R&I Section. The section mainly deals with receipt and despatch of letters, notices, etc. The addresses of the parties are fed into the computer along with approximate weight of the letter and value of stamp. This helps the section in saving time and efforts in calculation and maintenance of records.

XI. Library And Information System

Application of Information Technology for providing expeditious and efficient information services has been a thrust area in Supreme Court Judges Library. Besides providing desired information to the Hon’ble Judges through ‘Internet’ and “CD-ROM Databases” subscribed in the library, the library has developed following four indigenous legal databases for providing pinpointed information to the Hon’ble Judges. Presently, the three Databases namely SUPLIS, SUPLIB and LEGIS can be accessed through “INTRANET” also.

1. **SUPLIS (Database of Caselaws)** – This case indexing database contains approximately 40000 reported cases decided by the Supreme Court from 1950 onwards. Caselaws can be retrieved by date of **Judgment**, **Party Name**, **Citation**, **Judge Name**, **Petition Number**, **Famous Case Name and Subject**. Retrieval of any caselaw through famous name such as **Bhopal Gas Case**, **Mandal Commission Case** and provision to find out all equivalent citations of a Case Law is unique feature of this database. This database could be accessed through “INTRANET” of the Supreme Court of India with the help of IP address 192.100.2.61/suplis.

2. **SUPLIB (Database of Legal Articles)** :- This database contains more than 15000 articles from more than 200 Indian and Foreign Journals subscribed in the library of the Supreme Court. Articles on a given topic or subject could be retrieved instantly with the help of this database through “INTRANET” of the Supreme Court of India using IP address 192.100.2.61/suplib.

3. **LEGISLATION INFORMATION SYSTEM** – This database contains details of about 3600 Central Acts/Amending Acts and other statutory materials such as Rules, Bills etc. This
database is very useful for tracing the complete legislative history of any particular Central Act, Sources/Citations of any Act/amendments or Rules framed under any particular enactment etc. could be readily identified and retrieved. If text of any particular Central Acts is desired, a ‘link’ to “India Code”, a database of Ministry of Law, is also provided to access the full text of desired Central Act. This database could be accessed through IP address 192.100.2.61/legis on “INTRANET” of the Supreme Court of India.

4. CATALOGUE – A catalogue is the key to the collection of any library. Supreme Court Judges library has developed its “On-line Public Access Catalogue” (OPAC) for quickly knowing the availability of any book procured after the year 1973 with the help of slightest clue about the same. With the help of computerized catalogue, availability of any book in the library along with its location could be quickly ascertained through any access point such as Author, Title, Series, Subject, Collaborators, Editors, Accession No., Class No., and Publisher etc..

XII. Administrative Wing

The various Administrative Wings of the Registry have been computerized and software modules for maintaining the details are developed and used.

XIII. E-Filing

For the benefit of the advocates and the petitioner-in-persons desirous to file cases in the Supreme Court of India from the comfort of their own offices, the Supreme Court of India has generated ‘E-Filing’ software on Internet, which is prepared by NIC. This is a convenient tool especially to the out station petitioners/advocates in filing their petitions without actually coming to the Supreme Court. In addition to the facility of E-Filing, the petitioner/advocates who filed cases through E-Filing also get court notices, latest Orders of the Court, etc., through e-mail automatically. This is a milestone effort of the Supreme Court in serving the needs of the litigants and the advocates. One can file Petition/Counter/Rejoinder etc., through E-filing by accessing the web site of the Supreme Court of India at http://www.supremecourtofindia.nic.in. Other additional facilities available include:

- Re-filing after curing defects
- Addition application filing
- Counter/Rejoinder Filing

XIV. Automatic Scheduling of Regular Hearing Cases

A software module for automatic scheduling and generation of Cause List of Regular Hearing matters is developed by adopting the all new strategies for allocation of cases before various available Benches as per
Court’s order. For this, new algorithms are written. The module is fully functional since July 2003. Also, the allocation of the criminal admission cases before various Benches is also redesigned and developed.

XV. SUPNET

A web enabled retrieval system for the Supreme Court employees that includes Telephone Directory of officers, Leave records, Personal information of an employee, Pay details and status of various advances granted has been detailed.

XVI. Digital Signature

To start with the application of Digital Signature in Supreme Court, it was introduced on intra-net (on Supreme Court LAN) in the Court Masters’ Wing of the Registry, and is operational since July, 2007.

For implementation of the Digital Signature Project 61 Nos. Digital Signature Cards alongwith Card Readers were procured from National Informatics Centre and 61 No. of licences of File Signer Software were purchased. 42 Digital Signature Cards were procured from NIC for all the AR-cum-PSs, Court Master (Shorthand), Sr. P.As. & P.As. working in Courts and A.R. (Copying).

In the Court Masters’ Wing, 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. The In-Charge of Copying Branch receives the digitally signed document through Local Area Network. He verifies the authenticity of the Digital Signature and integrity of the document through a File Verifier Software. On being satisfied, hard copy of the document is generated without cross-checking with original document and certified copy of the document is issued.

Digital Signature facility will be operational at Residential offices of Hon’ble Judges as soon as Windows based File Signer Software is received from NIC.

As a further step, communication and notices to the Advocates from Branch Officers & Assistant Registrars are also to be sent electronically by using Digital Signatures. Digital Smart Cards have also been provided to 66 Officers (A.Rs. & Branch Officers) on Judicial Side of the Registry. 36 Nos. of computers of staff of Ld. Registrar (Courts) and Branch Officers of Judicial Side have been upgraded to 512 MB RAM till date. Upgradation of Operating System in the Computers of Branch Officers is under process.
The massive pillars in front of Court Nos. 1 to 5
12.1 Law Clerks

Considering the amount of work put in by the Hon'ble Judges of the Supreme Court, assistance of Law Clerks-cum-Research Assistants have been provided to them. The Law Clerks are drawn from various empanelled National Law Schools and other approved Law Colleges and Universities. They are given assignments 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 and Hidayatullah National Law University - Raipur (For internship only) are the legal institutions which are empanelled by the Supreme Court. The stand by list consist of School of Legal Studies, Cochin University of Science and Technology - Cochin, Government Law College – Mumbai and Law Faculty, University of Delhi - Delhi.

Quite a few steps have been taken to streamline the procedure for engaging Law Clerk-Cum-Research Assistants. In the month of December, the Law Schools, which are on the panel are required to submit applications/bio-data of their final year students pursuing 5-year law course. A panel of Judges selects the candidates and a list is prepared for selection of the Law Clerk-Cum-Research Assistants. Before the Law Clerk-Cum-Research Assistants enter into the assignments, they are required to execute a format of undertaking. Students from empanelled Law Schools/Colleges/Universities, are also attached, for short periods, with Hon’ble
Chief Justice of India/Judges, as Law Trainees. During last one year, 22 Law Graduates from various National Law Schools/Colleges/Universities have been engaged as Law Clerk-cum-Research Assistant and 88 Law Students have been placed as Law Trainees so far.

12.2 Legal Education

Supreme Court is taking an effective though limited role in Legal Education. Hon’ble the Chief Justice of India is either the Chancellor or Visitor of several reputed institutions like National Law University, Jodhpur, the West Bengal National University of Juridical Sciences, Kolkata, Chancellor/Visitor, 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.
13.1 Supreme Court Building

The Supreme Court of India which was functioning since 26th January, 1950 in the Chamber of Princes, in the 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. The central wing 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.

In the year 1979, two new wings, the east wing and the west wing, were added to the complex. Both wings 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.

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).

A mural of coloured porcelain tiles adorns
Supreme Court Building

Then........

..... and now
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.

On the main lawns in the front portion 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 by the symbol 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 has been made by the renowned artist, Shri Chintamoni Kar.

13.2 Supreme Court Judges Library

The Supreme Court Judges Library was established in 1937 and was then known as Federal Court Library. Library contains significant legal literature to support the need of Hon’ble Courts and Judges. It has a collection of about 2,50,000 legal documents, which includes books, monographs, commission reports, Government publications, Centre and State Legislations and other Legislative materials. It subscribes to about 200 Indian and foreign legal journals both academic and reporting. The Library has a staff strength of 90 including 16 professional librarians. The users of the library are Hon’ble Judges, Senior Advocates, officers of the Registry, Research Scholars of different universities and the Law clerks attached to the Hon’ble Judges.

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. To cater the needs of its users, library is providing quick reference service, and the library also provides desired information during court proceedings.

The explosion of legal literature necessitated the legal world to think in terms of bibliographic control and devise certain methodology to retrieve information efficiently.

Supreme Court Judges Library subscribes to many computerized legal databases, namely SCC-ONLINE, MANUPATRA, ITR, ExCus, All England Reports. Recently, the Library has acquired an International legal database, namely, “Westlaw International” containing Caselaws, Statutes and Articles from foreign journals. Access to Westlaw, SCC-ONLINE and MANUPATRA legal databases has also been provided at the
Residential Library of Hon’ble Judges.

Supreme Court Judges Library has also developed many indigenous Legal databases of Case laws, Articles, Books, Legislative Materials, Law Commission Reports, Joint/Select Committee Reports and Miscellaneous Reports respectively to provide pinpointed, exhaustive and expeditious information services. Foreign Case laws and other legal information is readily provided through use of “Internet”.

Supreme Court Judges Library has also developed many useful reference tools for internal use such as “indexes to Central and State Acts”, “Union Catalogue of Legal Periodicals” of all the High Courts, “Countrywise” and “Subjectwise” list of periodicals subscribed in the Library for providing efficient services to the Hon’ble Courts and Judges.

For the current awareness purposes, Library maintains ‘Press Clippings’ from leading National Dailies. Selective Dissemination of Information on legal subjects is a regular Service for Hon’ble Judges. Library also brings out a quarterly publication namely “Accession List” Consisting a 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 this List is also compiled and circulated under the title “Library Catalogue Supplement”.

13.3 Supreme Court Museum

The foundation stone of the Supreme Court Museum Building was laid on 11.2.1997 by the then Chief Justice of India (Hon’ble Mr. Justice A.M. Ahmadi). The Building was inaugurated on 27.9.2001 by the then Chief Justice (Hon’ble Dr. Justice A.S. Anand). The Museum was inaugurated on 6.4.2004 by the then Chief Justice of India (Hon’ble Mr. Justice V. N. Khare).

The Museum 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.

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. Besides, the diorama of Chief Justice’s Court is also depicted.

A number of dignitaries, foreign delegates,
scholars, students of law and general public have visited the Museum. The establishment of Judicial Museum at Apex Court has generated interest and enthusiasm among the general public. Documentary films “Supreme Court of India” and “Evolution of Judicial system in India”, are screened in the Museum for the general visitors. Initiative has also been taken to organize guided tours for International and domestic tourists to the Supreme Court and Museum.

Further, due to positive response and general concern to make Museum a centre of informal learning centre, the Hon’ble Judges of the Supreme Court who are members of the Museum Committee have decided to hold a series of exhibitions on pre-independence trial in the Supreme Court Museum and “Alipore Bomb Conspiracy Case” was exhibited first.

The Alipore Bomb Conspiracy Case was one of the first high profile State trials of historical importance. The exhibition traced the history of the incident of Muzzafarpur bombing, subsequent raid at several places in Calcutta, arrest of various accused in the connection of this case. The objects in this exhibition included original artifacts like documents, files, letters, bombshells pistols etc. which had been brought before the public to have a glimpse of Judicial heritage of the country.

The exhibition got overwhelming response from all sections of the society. A large number of visitors of cross-sections of the society had visited and appreciated the efforts of the Apex Court in organizing such Exhibition.

It was felt that creative work such as exhibition on important Pre-Independence Trials will go a long way in an appropriate depiction of our freedom struggle, through a visual medium. It was also expected that such exhibitions would create awareness about famous trials taken place in pre-independence era particularly those associated with our struggle for independence and leaders on whom trials were held. In this series the Supreme Court Museum proposes to hold another exhibition which will be befitting tribute to our national heroes in the 60th year of India’s freedom.

13.4 Transit Home-Cum-Guest House of the Supreme Court of India

The Transit Home-cum-Guest House of the Supreme Court of India at Bungalow No.1, Rajaji Marg, New Delhi was inaugurated on 6th November, 2002 by Hon’ble Shri B.N. Kirpal, the then Chief Justice of India. The two wings of the building are allotted by Hon’ble the Chief Justice of India to newly appointed Hon’ble Judge of the Supreme Court till His Lordship shifts to the official Bungalow. Guest House facility is also provided to retired Hon’ble Chief Justices of India/Hon’ble Judges of this Court visiting Delhi and any other dignitaries with the specific approval of the Hon’ble the Chief Justice of India.
13.5 Other Facilities

A bank is functioning in the Supreme Court Complex since 1965. It offers various facilities to the staff, lawyers and litigant public including ATM and Internet Banking facility.

A Post Office has been functioning in the Complex since 1958. BSNL is offering facilities for booking and transmission of telegrams. A Railway Reservation Counter of Northern Railway was opened in the Supreme Court premises on 17.1.1996 to provide reservation facilities for the Hon’ble Judges, Staff, lawyers and litigants. A departmental Canteen is functioning in the Supreme Court since November, 1986. In addition, Advocates’ Canteens are also functioning.

13.6 Dispensary

The Supreme Court Dispensary (First-Aid-Post) located in Room No.W-14, West Wing, 1st floor of the Supreme Court premises was inaugurated on 31st July, 1989 to provide medical facilities to the Hon’ble Judges, officers and staff of the Supreme Court. Thereafter, the First-Aid Post was upgraded and the same is located on the ground floor of the West Wing of the Building. The upgraded Dispensary was inaugurated on 5th September, 1994 by Hon’ble the then Chief Justice of India (Hon’ble Mr. Justice M.N. Venkatachaliah). With effect from 19.7.2007 Dental, Eye, and E.N.T. Wing have also started functioning. Various other specialist medical officers visit on specified days.

13.7 Guest Rooms

With effect from December, 2005, two Chambers bearing Nos. 8 and 9 in M.C. Setalvad Lawyers’ Chambers Building at Bhagwan Das Road are earmarked for being used as Guest Rooms by the various officers in order of preference with the approval of the Secretary General of Supreme Court of India.
14.1 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. It came into existence w.e.f. 01.01.1996, by a notification of the Government of India. 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 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, women, children, handicapped, and litigants involved in 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, 109, Lawyers Chambers, Supreme Court Compound, New Delhi – 110 001, in the prescribed form available in the office. The applicant is further required to attach documents alongwith the application forms. At present, the Committee has on its roll 103 Advocates-on-Record and 9 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 arranging to prepare a web-based software which would enable the litigant to enquire about 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 has also been 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 for the establishment, and the conduct of legal services programme is met 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 01.10.2006 to 20.09.2007 is given below:-

1. Total Number of applications received 1812
2. Number of applicants advised to approach the appropriate forum for relief 432
3. Number of cases approved for direct filing viz. Respondent/302 I.P.C./ Court directed matters 439
4. Number of applications referred to the Screening Panel Advocates to ascertain whether the matter is worth prosecuting before the Supreme Court. 941
5. Number of applications rejected being not found fit case for filing, by the Screening Panel Advocates 296
6. Number of cases pending legal opinion 71
7. Number of cases approved for filing appropriate petitions in the Supreme Court 574
8. Total Number of cases sent for filing (439+574 = 1013) 1013
9. Number of cases disposed of by the Supreme Court 110
10. Number of cases withdrawn by the Applicants 04
11. Number of cases pending disposal before the Hon’ble Court. 899
12. Number of correspondence received during the period 10252
13. Number of correspondence despatched during the period 12886
The Special emphasis on the activities of the Supreme Court Legal Services Committee are as under:-

(a) All India Meet

The Supreme Court Legal Services Committee is organizing an All India Meet of the High Court Legal Services Committees every year. The First All India Meet of High Court Legal Services Committees was organized on 29th April 2006 under the Chairmanship of the then Hon’ble Mr. Justice K.G. Balakrishnan (now, Hon’ble the Chief Justice of India) which was attended by the Chairmen and the Secretaries of all the High Court Legal Services Committees. The purpose of this Meet was to encourage interaction and networking among State Committees, preparation and discussion on the need of State Plan of Action and National Plan of Action in due course of time. The meet was organized as a prelude to many future programmes, keeping in view, the changes of time and the fresh challenges faced by the Society at the time of globalization, rural-urban migration and socio-economic pressures of families and poor groups, changed dimension of caste and communal violence affecting the most downtrodden and minority groups, which need to re-look at the strategies of the Legal Services Committees and initiate National and Regional Programmes to achieve the target.

The Second All India Meet of the High Court Legal Services Committee is being organized by the Supreme Court Legal Services Committee in this year under the Chairmanship of the Hon’ble Dr. Justice Arijit Pasayat and to be presided over by Hon’ble the Chief Justice of India.

(b) Networking with the High Court Legal Services Committees

The Supreme Court Legal Services Committee is also in the process of establishing a network between the High Court Legal Services Committees and other various agencies to facilitate sharing of experience with a view to improve and expand their activities.

(c) Mediation and Reconciliation Centre in the Supreme Court

The Supreme Court Legal Services Committee is in the process of establishing Mediation and Reconciliation Centre in the Supreme Court premises to resolve the disputes arising out of the matrimonial and other matters.

14.2 Supreme Court Middle Income Group Legal Aid Society

The Supreme Court Middle Income Group Legal Aid Society has been constituted under the Societies Registration Act vide Registration No. S 34951 of 1999 to provide partial legal service to the poorer section of the Society whose income
is between Rs. 18,000/- and Rs. 1,20,000/- per annum. 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.

The Society is headed by a sitting 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. Every person who is desirous of availing the services of an advocate has to approach the Secretary of the Society by filling up an application in the prescribed form available in the office along with other relevant documents.

The office of the Society is presently functioning at 109, Lawyers Chambers, Supreme Court Compound and establishment services to it are being provided by the Supreme Court Legal Services Committee.

The Society has its website which is linked with the Supreme Court website, namely, http://www.supremecourtofindia.nic.in and it contains all the information about its functioning.

14.3 Mediation & Conciliation Project Committee

Under the auspices of the Mediation and Conciliation Project Committee constituted by the Supreme Court on 9th April, 2005, the Delhi Mediation Centre began functioning in the Tees Hazari Courts complex in the District Courts of Delhi in August, 2005 (formal inauguration was in October, 2005). The mediators were judicial officers who were given 40 hours of rigorous training in the art and technique of mediation.

As a result of the initial successes achieved by the mediators, the Delhi Mediation Centre extended its activities to the Karkardooma Courts complex at Delhi in December, 2005 (formally inaugurated in February, 2006).

On 1st November, 2006, Hon'ble the then Chief Justice of India, Justice Y.K. Sabharwal released the First Annual Report of the Delhi Mediation Centre. It detailed the functioning of the Delhi Mediation Centre including the administrative and coordination aspects, number of mediators and the training received by them and a statistical analysis of the settlement of cases.

Over a period of time, under the patronage
of the Supreme Court, the Delhi Mediation Centre has achieved remarkable results. By the close of the second year of mediation, the Delhi Mediation Centre had resolved 4,256 cases including connected cases. Cases are referred to the Delhi Mediation Centre, not only by the District Courts of Delhi but also by the Delhi High Court and even by the Supreme Court. The cases that have been settled include all categories including matrimonial cases, partition suits, motor accident cases, recovery suits, etc. The response has demonstrated that mediation can be the satisfactory complimentary non-adjudicatory form of dispute resolution.

One of the major achievements of the Delhi Mediation Centre is to develop its own in-house training facilities. There are now six judicial officers who are expert trainers. Some of these officers have been invited to various parts of the country to spread awareness of mediation and to educate other judicial officers on the finer points of mediation.

Over the last two years, the Delhi Mediation Centre has fully computerized its administrative functions and also created its own website. Its activities have been taken note of even internationally and particularly by the Singapore Mediation Centre.

Hon’ble the Chief Justice of India reconstituted the Mediation and Conciliation Project Committee on 17th August, 2007 with Hon’ble Mr. Justice S.B. Sinha as Chairman, with the intention of giving further impetus to mediation all over the country. The Committee is considering implementation of a National Plan for Mediation which is expected to transform dispute resolution options all over the country and infuse life into Section 89 of the Code of Civil Procedure.

The Supreme Court is actively concerned with the functioning of the Delhi Mediation Centre and hopes to use the pilot project initiated by it as a base for spreading the benefits and advantages of mediation in other parts of the country.

14.4 National Legal Services Authority

The National Legal Services Authority (NALSA) is a Central Nodal Authority of the Govt. of India constituted under the Legal Services Authorities Act, 1987 to lay down policies and principles to frame effective and economical schemes for making legal services available, to spread legal literacy, and to monitor and evaluate implementation of legal aid programmes throughout the country.

Hon’ble Mr. Justice K.G. Balakrishnan, the Chief Justice of India is the Patron-in-Chief and Hon’ble Mr. Justice Ashok Bhan, Judge, Supreme Court of India is the Executive Chairman of the Authority.
Functioning of NALSA

NALSA frames policies, principles, schemes and guidelines on legal aid for the poor and disadvantaged sections of the society and the same are got implemented through the State Legal Services Authorities, District Legal Services Authorities and Taluka Legal Services Committees throughout the country.

Primarily, the State Legal Services Authorities, District Legal Services Authorities, Taluka Legal Services Committees have been assigned the task of discharging 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

LOK ADALATS

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 it before any court.

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 guidance of NALSA.

ACTIVITIES

NALSA has organized the following important programmes to achieve its objectives:

1. NATIONAL LEGAL AID WEEK FOR THE MENTALLY CHALLENGED PERSONS

NALSA organized National Legal Aid Week beginning from 10th October, 2006 on the occasion of World Mental Health Day throughout the country. During the week, the legal aid volunteers started the awareness campaign in the OPDs of different hospitals and distributed awareness material/pamphlets regarding the Legal Rights of the Mentally Challenged People across the country.

2. LAUNCH OF “PROJECT KANYAKUMARI”

NALSA launched the Project Kanyakumari on 27 October 2006 at Kanyakumari to provide legal literacy and legal support to women and girls victimized in and around temples and other religious places. The project was inaugurated by Hon’ble Mr. Justice Arijit Pasayat.

3. REGIONAL POLICY DIALOGUES OF JUDGES REGARDING THE
PROTECTION OF LEGAL AND HUMAN RIGHTS OF BENEFICIARY GROUPS

NALSA organized three Regional Policy Dialogues of Judges regarding the Protection of Legal and Human Rights of Beneficiary Groups. The first Regional Policy Dialogue was organized on 28 October 2006 at Trivandrum, Kerala under the chairmanship of Hon’ble Mr. Justice Arijit Pasayat. The second Regional Policy Dialogue was organized on 27 January, 2007. The Dialogue was inaugurated by Hon’ble Mr. Justice K.G. Balakrishnan, Chief Justice of India. The third Regional Policy Dialogue was organized on September 8-9, 2007 under the chairmanship of Hon’ble Mr. Justice Ashok Bhan. The Executive Chairpersons and Member Secretaries of the respective State Legal Services Authorities, Directors of Judicial Academies and District Judges participated in the Regional Policy Dialogues.

4. NATIONAL COLLOQUIUM ON POVERTY ALLEVIATION, FOOD SECURITY, RIGHT OF DEVELOPMENT AND SOCIAL JUSTICE


The programme was inaugurated by Dr. Manmohan Singh, Hon’ble Prime Minister of India. Mr. Justice Y.K. Sabharwal, former Chief Justice of India presided over the function. Dr. H.R. Bhardwaj, Hon’ble Union Minister for Law & Justice, Hon’ble Mr. Justice K.G. Balakrishnan, Chief Justice of India graced the occasion.

5. NATIONAL CHILD RIGHTS WEEK

The Authority, on the occasion of Children’s Day, organized a dialogue and interaction of the Hon’ble Chief Justice of India and Hon’ble Judges of Supreme Court with Child Ambassadors of National Legal Literacy Mission on 14th November 2006 at Supreme Court, New Delhi.

6. PROCESS INITIATIVE FOR DEVELOPMENT OF A NATIONAL PROTECTION PROTOCOL FOR HIV INFECTED AND AFFECTED CITIZENS

7. NATIONAL LEGAL AID WEEK FOR PERSONS WITH DISABILITIES

NALSA, organized the National Legal Aid Week for Persons with Disabilities from 3-9 November 2006 at Army Public School, New Delhi.

8. CORRECTIONAL HOMES AS SPECIAL LEGAL LITERACY ZONES

NALSA has adopted the Correctional Homes of West Bengal to establish a legal and policy framework for development of strategies for a better legal aid services for the undertrials and the convicts for facilitating their access to various social justice measures.

9. COMMUNITY LEGAL AID CLINICS

The Community Legal Aid Clinics have been set up at various places in West Bengal. The objective of these Legal Aid Clinics is to provide legal literacy to the masses and communities by disseminating information regarding benefits of free legal aid, Lok Adalats, ADR, Plea-bargaining and Conciliation/Mediation.

10. WORKSHOP ON IMPLEMENTATION OF LEGAL AID SCHEMES & INFRASTRUCTURE DEVELOPMENT


11. ALL INDIA MEET OF STATE LEGAL SERVICES AUTHORITIES

The NALSA organized the All India Meet of State Legal Services Authorities on February 17-18, 2007 at Kochi, Kerala. Hon’ble the Chief Justice Mr. K.G. Balakrishnan, inaugurated the Meet in the presence of Hon’ble Mr. Justice Ashok Bhan.

In the Meet, important decisions were taken aimed at strengthening and improving the provisions of the Legal Services Authorities Act, 1987.

12. PROJECT ‘JAGO RE’

Under Project National Legal Literacy Mission, NALSA organized a multi-sectoral, multiple-benefit, holistically packaged legal literacy awareness campaign under the title ‘Jago Re’ to connect the District Legal Services Authorities for sharing information on objectives of National Legal Literacy Mission.
13. NATIONAL LEGAL AID WEEK FOR WOMEN

The Authority organized National Legal Aid Week for Women from March 8-14, 2007 across the country on the occasion of International Women’s Day. The programme was inaugurated by Hon’ble the Chief Justice Mr. K.G. Balakrishnan.

14. JUDICIAL COLLOQUIUM FOR DEVELOPMENT OF POLICY AND PROGRAMME FOR NORTH-EASTERN REGION MANDATING SOCIAL JUSTICE


15. STATE PROTECTIVE DIALOGUE FOR PROTECTION OF CHILD RIGHTS


16. NATIONAL COOPERATION DIALOGUE FOR DEVELOPMENT OF A POLICY FOR EQUITABLE ACCESS TO JUSTICE IN NORTH-EASTERN REGION

NALSA organized a National Cooperation Dialogue for Development of a Policy for Equitable Access to Justice in North-Eastern Region on 31 March 2007 at Assam Administrative Staff College, Guwahati in collaboration with Gauhati High Court Legal Services Committee. Hon’ble Mr. Justice Ashok Bhan inaugurated the dialogue.

17. COMPREHENSIVE HEALTH PORTFOLIO DEVELOPMENT PROGRAMME FOR PRISONERS

A National Dialogue on Comprehensive Health Portfolio Development Programme for Prisoners for Improved Access to Essential medicines, Treatment and Protection of Health Rights of the Disadvantaged in West Bengal was organized under the guidance of NALSA, at Kolkata on 6 April 2007.

18. NATIONAL MEET OF NGOS OF RURAL INDIA FOR EQUITY & SOCIAL JUSTICE

NALSA supported the Confederation of NGO’s of Rural India (CNRI) in organizing a
National Meet of NGOs of Rural India for Equity and Social Justice at the convention hall, Hotel Ashok, New Delhi on April 24-26, 2007.

19. **HOSPICE FOR SICK AND HOMELESS LABOURERS**

NALSA is running its Victims Assistance Programme (VAP) for providing humanitarian legal assistance to the homeless, destitutes and orphans rescued from the roadside.

20. **INTERNATIONAL LABOUR DAY**

A function was organized by NALSA to pay homage and respect to the labouring citizens who sacrificed for the welfare of the nation on the occasion of May Day at Gandhi Smriti, New Delhi.

21. **SAVE THE GARDEN, SAVE WORKERS CAMPAIGN**

NALSA extended its technical support to a campaign titled “Save the Garden, Save Workers” Campaign against Hunger – A People’s Initiative for Food Security, Fundamental Rights and Rehabilitation of Tea Garden Workers in Dooars Region of West Bengal organized from May 5-6, 2007 at Siliguri, District Darjeeling.

22. **LEGAL AWARENESS CAMPAIGNS**

A Legal Awareness Campaign laying special focus on the Rights of Women and Children was launched by Hon’ble Mr. Justice Ashok Bhan. Another Legal Awareness Campaign was launched at Srinagar, on 18th June 2007 by Hon’ble Mr. Justice K.G. Balakrishnan, the Chief Justice of India.

23. **SETTING MEDIATION CENTRES**

Mediation Centres were inaugurated at Jharkhand High Court premises on 19th May, 2007 and at Jammu & Kashmir Court Complex at Srinagar on 19th June 2007 and at Bangalore on 21st June, 2007.
Judges Lounge
Judges Assembly Hall

The Adjoining Judges Dining Hall
15.1 Supreme Court Reports

Supreme Court Report 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 Editorial wing works under a Registrar and is headed by Joint Registrar (Editorial) assisted by Editors, Assistant Editors, Branch Officer and other staff. The main task of this wing is the publication of the official report namely, Supreme Court Reports. 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, Attorney General for India and an Advocate nominated by the Executive Council of the Supreme Court Bar Association.

As per the directions of the Council of Law Reporting, from the year 2007, SCR is published in running volumes, each volume consisting of 4 parts of about 300 pages each and a Volume Index. SCR is a Government publication and its subscription is nominal. The Annual Subscription for 2007 is Rs.3300/- for 12 volumes with Volume Index for each volume. SCR gives minute and avid details in its Index. It is sent on reciprocal basis to many Commonwealth and other countries viz., USA, Nigeria, Canada, South Africa, Tanzania, Zimbabwe, Egypt etc.

As on 30.9.2007 Supreme Court Reports have been published upto Volume 9 part 1 (covering judgments pronounced till 24.8.2007).

15.2 Supreme Court Rules

(a) 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. The rules have so far been amended 38 times and the last amendment was carried out w.e.f. 1st March, 2006, so as to confer additional powers on the Hon’ble Judges in Chamber and the Registrars. An authentic and official updated edition of the Rules has been published by the Supreme Court of India.

(b) 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.

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 is the highest Officer of the Registry and works directly under Hon’ble the Chief Justice of India.

Part II of these Rules specifies the powers of Hon’ble the Chief Justice of India in regard to creation of posts, appointments, method of recruitment, qualification for appointments and conditions of service of the employees of the Supreme Court. Part III of these Rules contains provisions for control and discipline of the staff and Part IV about their conduct. Part V of the Rules comprises the provisions about miscellaneous matters relating to the staff.


15.4 Court News

To promote transparency, accountability and to provide free flow of information, Supreme Court of India has 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. Through this news letter, legal fraternity as well as the general public is kept informed of important news and developments relating to administration of justice including systematic improvements made therein from time to time. It is sent free of cost to all High Courts, Bar Associations, Law Colleges, Government Departments etc. and is also available on the website of Supreme Court.
15.5 **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 and preparation of cause-lists, (iv) guidelines on Public Interest Litigation and Jail Petitions, (v) supply of copies and 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.

15.6 **Other Publications**

Revised “Head Notes of Leading Cases” for exclusive use in Advocates-on-Record Examination.
National Judicial Academy Building - Bhopal
16.1 The National Judicial Academy

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 and dynamic role for the judiciary for making India a developed country by the year 2020. NJA has commenced its activities in that direction.

National Judicial Academy was established as a Registered Society, fully funded by the Government of India. 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.

Under the guidance and pains taken by Hon’ble the Chief Justice of India and Hon’ble Judges of the Supreme Court of India, National Judicial Academy has made tremendous progress and is now being recognized even internationally as prime training Academy for Judges not only of India, but also of outside.

NJA has undertaken a variety of activities in pursuance of its mandate. The following report of its activities during the past one year would disclose the diverse academic pursuits undertaken, to raise the level of Judicial training, quality of judicial system, and legal pursuits.

REPORT OF THE PROGRAMMES HELD BY THE NATIONAL JUDICIAL ACADEMY FROM OCTOBER, 2006 TILL SEPTEMBER, 2007

16.2 Course Number, Name Of Course And Date

T-50 Refresher Course On Specialized Criminal Enactments (Atrocities,
Another view of National Judicial Academy
NDPS ACT & PREVENTION OF CORRUPTION ACT (5 – 9, OCTOBER 2006)

This refresher course was attended by 45 Addl. District and District Judges from all over the country. One of the main subjects which was discussed at length was the discrimination faced by Dalits. The aim of the course in fact was to make judges sensitive about such issues and the common approach which judges should follow.

T-51 MANAGEMENT OF JUDICIAL ADMINISTRATION INCLUDING TIME MANAGEMENT, STRESS MANAGEMENT AND INTER-PERSONAL CONFLICT MANAGEMENT (14-16 OCTOBER, 2006)

Recognizing the complexity in the process of judging, this Course introduced stress, conflict and time management modules into judicial education, for the first time. The prime focus of all the sessions was to emphasize on the utility of certain skills in enhancing the efficiency of the Judges in their daily task of judging, including administrative and monitoring responsibilities. Considering the variety of factors that cause stress to Judges and conflicts at their work, the course sought to emphasize four essential qualities and the skills needed to practice the same - relaxation of the mind; ability to concentrate for long hours; sharp memory; and ability to use critical thinking.

T-52 APPRECIATION OF EVIDENCE IN CIVIL & CRIMINAL MATTERS, JUDGMENT WRITING & SENTENCING (28 - 30 OCTOBER, 2006)

This Course was attended by 49 Addl. District and District Judges from all over the country. The substantive law found in the Indian Penal Code and other Penal and Civil laws, the procedural laws in the Code of Criminal Procedure, Code of Civil procedure and the Rules of Evidence such as proof, relevancy and admissibility found in the Indian Evidence Act were discussed threadbare.

T-53 CONSTITUTIONAL & ADMINISTRATIVE LAW FOR SENIOR MEMBERS OF THE SUBORDINATE JUDICIARY (9-13 NOVEMBER, 2006)

Since, District judges preside over the third-tier of the judicial system where the bulk of litigation gets finally adjudicated or settled and the majority of litigants obtain justice, the fairness and efficiency of the District Judiciary determines the quality and character of the justice system as a whole and hence they should be guided by Constitutional values and ethos. It is with this object that the present Seminar attended by nearly 40 senior judicial officers was organised.

T-54 SEMINAR ON INTELLECTUAL PROPERTY RIGHTS (18 - 20 NOVEMBER, 2006)
Intellectual Property Law is undergoing number of changes because of globalization and has assumed critical importance in trade, commerce and business. The conclusion of Uruguay Round of Multilateral Trade Negotiations and signing of the TRIPS agreement is a major land mark in the development of international law in the field of IPRs. This seminar, attended by 28 High Court Judges focused on the need to offer a rationale and a fair evaluation of IPR regime by which the higher judiciary would be able to fairly adjudicate upholding “Constitutional Justice”.

T-55 Judicial Reform Education and Standardization of Programmes (25 - 27 November 2006)

This three day programme - developed a Model Core National Curriculum (CNC) on Judicial Education with inputs from the directors of the SJAs, 16 High Court Judges in-charge of education and Justice S.B. Sinha and Justice Bharukha heading E- Committee. Besides developing CNC, very specific educational interventions that may be used to defeat delay and arrears were discussed in this meet of training the trainers. The participants were asked to participate in the on-going two day (25th-26th Nov 2006) Best Practice Meeting On Delay And Arrear Reduction so that they can implement these programmes in their State Judicial Academies.

T-56 Programme on Interpretation of Statutes (2-4, December 2006)

This programme was devoted to take care of the problems faced by the participating judges while interpreting Statutes/Bills/Documents/Deeds.

T-57 Advanced Human Rights Law (2-4, December 2006)

A very important technique to achieve the effective realization of human rights is to equip the grass root level judiciary, which is directly related to human rights enforcement. Accordingly issues relating to labour, gender justice, child rights, disability rights etc. were discussed in detail. On the last day the participants paid a visit to the MP State Human Rights Commission where they interacted with the Chairperson to understand better what complementary roles the court and the commission can play in furthering the cause particularly in the light of the recent amendments to the Protection of Human Rights Act, 1993.

T-58 Advanced Course on Civil Justice Including Commercial Disputes (16-20 December, 2006)

Issues relating to financial litigation, land acquisition, environmental law, consumer protection, alternative dispute resolution, impact of globalization on civil litigation and tools and techniques for delay and arrears reduction were discussed. There was also a simulation on mediation.
The first Regional Programme on Techniques and Tools for Delay and Arrears Reduction (TTDAR) was held at the Indian Institute of Coal Management (IICM), Ranchi in collaboration with Jharkhand High Court and Jharkhand Judicial Academy. 95 Judges from 6 High Courts participated. The Programme focused on 3 themes: (i) Leadership and Motivation for Delay and Arrears Reduction; (ii) Management of time/case/court/docket/relationships and (iii) ADR and Plea Bargaining.

**T-60 Advanced Civil Process (12 - 14 January, 2007)**

This programme was attended by 22 Civil Judges, Addl. District and District Judges from all over the country. The main aim of this course was to strengthen skills for speedy disposal of Civil matters and enable judicial officers in civil procedure so as to strengthen their ability to use civil process effectively as a tool for delivering timely justice. The programme also emphasized on finding and applying the law accurately and also tried to evolve methods for implementing case and court management reforms using existing resources. The focal point on discussion was speedy justice by using S.89 CPC.

The programme was organised for 25 judicial officers from higher judiciary. The themes discussed included domestic violence, sexual harassment at work places, gender issues in labour matters, judging in the context of gender; overcoming substantive and procedural infirmities in the laws and the impact of sensitisation programmes on the Presiding Officers.

**T-62 First Orientation Colloquium For Recently Elevated High Court Judges (19- 22 January, 2007)**

This orientation colloquium was conceived for recently elevated High Court Judges from across the country. This provided a forum for 30 new High Court Justices to exchange views mutually as well as with senior and experienced sitting and former Supreme Court Judges. Challenges emerging due to the changing global scenario, powers of writ jurisdiction and judicial review, original, appellate and specialised jurisdictions, PIL and judicial activism, contempt of court matters, powers of superintendence over subordinate courts, the process of judging and the techniques and tools for delay and arrears reduction were discussed.

**T-63 Techniques & Tools for Delays & Arrears Reduction (West Zone) (2 - 4 February, 2007)**
This regional programme was organized in association with JOTRI, Jabalpur wherein the stress was on arrears and delays reduction. 116 Judges participated in this programme. The participants were divided into groups and were called upon to work on the three themes of Leadership, Time Management and use of ADR & Plea bargaining. The participants also had to prepare delay and arrears reduction plans which would be submitted to their respective High Courts.

**T-64 Advanced Criminal Process (9-11 February, 2007)**

The main theme of this programme which was to strengthen skills for speedy disposal of Criminal Matters was attended by 37 Chief Judicial Magistrates, Addl. District and District Judges all over the country. The main aim of this course was to strengthen the knowledge and skills of judicial officers in criminal procedure.

**T-65 Advanced Criminal Law (9 -11 February, 2007)**

The main aim of the programme was to strengthen the administration of criminal justice in the district judiciary and accordingly the programme discussed and analyzed current developments in criminal law, leading apex court decisions, policy issues and challenges including the social context of criminal law.


This course was attended by 40 judicial officers from 16 High Courts. The deliberations re-evaluated the role of the judiciary in the context of the protection of human rights and examined whether the judiciary is indulging in “activism” or “adventurism”. Attempts were also made to understand evolving human rights concepts in the International as well as domestic context.

**T-67 Second Orientation Colloquium for Recently Elevated High Court Justices (16-19 February, 2007)**

Second Orientation Colloquium for recently elevated High Court Justices was attended by 33 High Court Judges from across the country. The Hon’ble Chief Justice of India also addressed the programme through video conferencing. Based on the experience gained from the first programme, the themes were slightly modified for this Colloquium to include matters like criminal justice administration, use of ICT and modern methods of management for judicial reform, judicial conduct, core judicial skills at the High Court level, case analysis, reasoning, judicial interpretation of law, communication and judgment writing.

**T-68 Use of Alternative Dispute Resolution for Reduction of**

The fourth Workshop on ADR was attended by 33 judges. Practical sessions elucidated to the participants the mechanisms employed in range of ADR in vogue in India with the help of role play sessions and simulations. In theory sessions, Justice S.B. Sinha, Justice R.V. Raveendran and other experts acquainted the participants about usage of ADR.


This Seminar was organized for 32 senior Judges from the district judiciary with prospects of elevation to the High Court and was aimed at orienting the participants with the philosophy of justice administration as informed by the constitutional goals. The discussions centered on judicial review, judicial activism, writ jurisdiction and judicial activism.


The main theme of this programme was to enhance the quality and responsiveness of judicial administration of special criminal enactments. This refresher course was attended by 30 Addl. District Judges, District Judges and Special Judges of all over the country.


35 Judges participated in the programme. This Colloquium was part of series of High Court Justices’ Conferences on Development of Law in which High Court Justices come together from across the country to reflect on the future course of development of law in the field of globalization as well as the challenges arising due to rapid globalization.


NJA organized its Third Regional Programme on Arrears and Delay Reduction at Lucknow, Uttar Pradesh in collaboration with the High Court of Allahabad and the Institute of Judicial Training and Research, Lucknow. 99 subordinate court judges from the various High Courts deliberated over the standard themes of leadership, time management, ADR and plea bargaining. Hon’ble the Chief Justice of India addressed the participants on the valedictory session.
T-73 Techniques and Tools for Delay and Arrears Reduction (South Zone) (6-8 April, 2007)

The 4th Regional Programme on Delay and Arrears Reduction was held at Bangalore in association with Karnataka High Court and Karnataka Judicial Academy, Bangalore. The subordinate Judges from Southern Zone discussed the best practices on the themes of leadership, managing time and timeliness, the use of section 89 CPC and also the powers of the Courts in delay and arrears reduction.

T-74 Judicial Administration (13-15 April, 2007)

This refresher course was attended by 39 District Judges and Registrars General of High Courts from all over the country. The participants were trained on load management by classification, prioritization, bunching of cases by fixing targets and organizing disposal through lok adalats and other ADR methods.


The sessions covered the areas of concept of justice, judicial vision, case analysis, science of judging, appreciation of evidence, judgment writing and conflict resolution. There were 33 participants for the programme.

T-76 Juvenile Justice (20-22 April, 2007)

33 Judicial officers participated to discuss the various issues on children and the problems they face in getting Justice from the Legal and Judicial System. The programme in its content highlighted various changes made to Juvenile Justice Act from 1986 to 2006.

T-77 Environment and Natural Resource Protection: Role of District Judiciary (20-22 April, 2007)

The programme on Environment and Natural Resources was for the Judges of District Judiciary. There were 34 participants for the programme who discussed on the several issues relating to Environment and Natural Resource Protection and the role to be played by the District Judiciary in protecting the environment.

T-78 High Court Justices National Colloquium on Emerging Issues in Public Law (27-29 April, 2007)

In the National Colloquium on emerging issues in public law, 35 Judges of High Courts participated in this 3 day national colloquium. The programme focused on public law doctrines and their impact on the course of economic, social and political development of a country.

There were more than 70 participants for the programme, which discussed Delay and Arrears Reduction and Quality and Responsiveness of Justice.


The programme on judicial method: the Science, Art and Craft of Judging was organised with the objective of enhancing quality and responsiveness of justice. There were 36 participants from the District Judiciary for the program.


This seminar was attended by 32 Civil Judges, Addl. District and District Judges from all over the country. The role of judges in speedier justice and how they become good managers, reduction of quantity without affecting quality, effective implementation of amended provisions of the CPC were discussed.

**T-82 First Orientation Programme For Newly Appointed ADJs (20-24 July, 2007)**

Newly appointed 17 ADJs from various parts of the country participated in the programme. Discussions focused on the Role and Responsibilities of a Judge, Vision of Justice guiding Judging, Judicial Method: Enhancing Objectivity and Impartiality, Judicial Method: Enhancing Professional Excellence and Judicial Ethics.

**T-83 Judicial Ethics, Values And Conduct (27-29 July, 2007)**

This programme was attended by 22 delegates (Directors, Additional, Joint or Deputy Directors) and Faculty members of 16 State Judicial Academies. The need for judicial ethics, values and standards of conduct in today’s context, the distinction between law and morality and its implications for private and official conduct was the point of discussion.

**T-84 High Court Justices Programme On Judicial System Management (27-29 July, 2007)**

The High Court Judges conference on Judicial System management was held in which more than 20 Judges participated. The primarily focus was on the various challenges in the area of judicial system management, how ICT and modern methods of management may be used to strengthen planning, resource mobilization, budgeting, administration, financial management, performance management, etc.

**T-85 Second Orientation Programme For Newly Appointed ADJs (27-31 July, 2007)**

There were 16 participants for the
programme. Like the previous programme this programme too focused on the same themes.

T-86 FIRST REGIONAL JUDICIAL WORKSHOP ON TECHNIQUES AND TOOLS FOR ENHANCING TIMELY JUSTICE (3-5 AUGUST, 2007)

The programme was held in Kolkata and the number of participants exceeded 100. The main objective of the programme was to deliberate on different tools and techniques for enhancing timely justice.

T-87 SECOND NATIONAL JUDICIAL WORKSHOP: TECHNIQUES AND TOOLS FOR ENHANCING TIMELY JUSTICE (10-12 AUGUST, 2007)

This seminar was attended by 90 Civil Judges, Addl. District and District Judges from all over the country who shared their best practice experiences and knowledge for techniques and tools for reducing delay and arrears (DAR) and enhancing the quality and responsiveness of justice (QRJ). The modern methods of management for reducing delay and delivering speedy justice was explained.

T-88 JUSTICE AND POVERTY: CHALLENGES AND RESPONSIBILITIES OF JUDGING (17-19 AUGUST, 2007)

There were 37 participants for the programme from the district judiciary. The main issues and challenges before the court in the area of poverty was discussed and the participants came up with many effective suggestions.

T-89 JUDICIAL SEMINAR ON “THE ROLE AND IMPACT OF INTERNATIONAL LAW ON ADJUDICATION IN DISTRICT COURTS” (17-19 AUGUST 2007)

It was attended by 41 District Judges from all over the country. The programme covered themes like, Understanding the Problem from a Socio-Economic Perspective, Understanding and Defining the Problem from a Judicial Perspective, International Law and the Legal Framework, International Legal Cooperation, Cross-Border Crimes (Substantive and Procedural Issues), Issues in Personal Law, International Trade and Commerce.

T-90 THIRD ORIENTATION PROGRAMME FOR NEWLY APPOINTED ADJS (17-21 AUGUST, 2007)

This programme was attended by 22 newly appointed ADJs from all over the Country. The programme focused on the national judicial system, issues of national importance in the administration of justice, and on judicial responsibilities to the ADJs.

T-91 EDUCATION FOR EDUCATORS PROGRAMME-” EFFECTIVE IMPLEMENTATION OF THE LAW AGAINST DOMESTIC VIOLENCE: ROLE OF THE DISTRICT JUDICIARY” (24-26 AUGUST, 2007)
Twenty six Judges took part in the programme, where various intricate issues in the legislation were discussed by resource persons experienced in the area. The main focus of the discussions was to understand the legislative intention and how to implement the same.

**T92 Cyber Laws And IPRs: Current Issues And Emerging Trends (24-26 August, 2007)**

Hon’ble Judges from various High Courts participated in the conference. The participants discussed the issues in the area of IPR, Cyber law, the impact of Copy Right on Access to Education and Access to Knowledge, IPRs and Public Interest: Freedom of Speech and Copyright, Patent Law and Access to Health, Cyber Crimes and its evidentiary challenges.

**T93 Fourth Orientation Programme For Newly Appointed ADJs (22-26 August, 2007)**

This programme was attended by 18 newly appointed ADJs from all over the Country. Discussion was made on the role and responsibilities of judges, Vision of justice guiding judging including craft of judging: key skills for ADJs, Judicial method for enhancing objectivity and impartiality and enhancing professional excellence and the judicial ethics, values, conduct and accountability.

**T94 Third National Workshop On Techniques And Tools For Enhancing Timely Justice (31 August- 2 September, 2007)**

The focus of the programme was to discuss two main themes – Delay and Arrears Reduction and Quality and Responsiveness of Justice. Ninety one judges from all over the country participated in the programme.

**T95 Second Regional Workshop On Techniques And Tools For Enhancing Timely Justice (7-9 September, 2007)**

The Second Regional Workshop on “Techniques and Tools for Enhancing Timely Justice” was held at Ahmedabad. It was jointly organized by the High Court of Gujarat, the Gujarat State Judicial Academy and the NJA. The focus of the programme was to discuss two main themes – Delay and Arrears Reduction and Quality and Responsiveness of Justice. The Hon’ble Chief Justice of India spoke at the valedictory session. One hundred and five judges from the West Zone took part in the programme.

**T96 Judicial Workshop On Court Management, Case Management And Case Load Management For District Judiciary (14-16 September, 2007)**
This course attended by 34 participants from the District Judiciary was organized for discussing on the issues relating to Court management, Case management and Case load management.

**T-97 Judicial Seminar On Alternative Dispute Resolution (14-16 September, 2007)**

There were 33 participants for the programme. The seminar analyzed the new provisions aimed at reducing delay in the context of ground realities and sought to identify strategies to promote increased use of ADR in the system.

**T-98 Fifth Orientation Programme For Newly Appointed ADJS (14-18 September, 2007)**

17 judges from various parts of the country participated in the programme. Discussions focused on, the Role and Responsibilities of a Judge; Vision of Justice guiding Judging; Judicial Method: Enhancing Objectivity and Impartiality; Judicial Method: Enhancing Professional Excellence and Judicial Ethics.

**T-99 Education For Educators Programme “Communication Skills And Time Management For The District Judiciary” (21-23 September, 2007)**

This seminar was attended by 25 Addl. District and District Judges from all over the country. The focus of the programme was on the challenges faced by the district courts in communicating with litigant public, subordinate staffs and superior officers in due discharge of their duties, relationship with media and responsiveness of the judges, the role of judges and the need for speedy justice.

**T-100 Conference On Economic And Commercial Law In India The Emerging Global Scenario: Current Issues And Emerging Trends (21-23 September, 2007)**

Hon’ble Judges from most of the High Courts in India participated in the conference. The sessions were based on ‘Setting the Policy Context’, ‘People v Market’ and the resource persons pointed out the lack of accountability of multi national ‘Financial Sector Regulation’ ‘State v. Market’ ‘Combating Economic Offences and Corporate Crime’ ‘Strengthening the macro legal frame work’ etc.

**T-101 Sixth Orientation Programme For Newly Appointed ADJS (21-25 September, 2007)**

15 judges from various parts of the country participated in the programme. Discussions focused on the Role and Responsibilities of a Judge, Vision of Justice guiding Judging, Judicial
Method: Enhancing Objectivity and Impartiality; Judicial Method: Enhancing Professional Excellence and Judicial Ethics.

**T-102 Third Regional Judicial Workshop on Techniques and Tools for Enhancing Timely Justice (28-30 September, 2007)**

The programme was held in the north zone in Delhi and the number of participants exceeded 100. The workshop was a combined effort of NJA, Delhi State Judicial Academy and the Hon'ble High Court of Delhi. The main objective of the programme was to deliberate on different tools and techniques for enhancing timely justice.

**16.3 Additional Initiatives**

- **Current Legal Developments—Interaction with Sri Lankan Justices (18-22 December 2006)**

  Hon’ble Judges from the Supreme Court of Sri Lanka and the Court of Appeals visited NJA from the 18th to 22nd December, 2006 for interaction with senior Indian Justices on current legal developments in India and what lessons the same holds for Sri Lanka.

- **Committee for Improving the Functioning of Courts**

  In a programme attended by more than 30 High Court Judges in July, 2007 in Bhopal, the National Judicial Academy decided to set up an informal Committee to look into various aspects of court administration. The Committee has no fixed charter or terms of reference, but is rather broad based. The Committee is chaired by Hon’ble Mr. Justice S.B. Sinha. The other members of the Committee are four sitting High Court Judges from various parts of the country who are assisting him.

  The Committee has had a few meetings in Bhopal and one in Delhi. It has outlined certain areas which need to be seriously considered. For example, there is no time standard laid down for disposal of cases. Consequently, there is nothing to indicate what would constitute an “old case”. Similarly, there are infrastructural and administrative issues that are slowing down the disposal of cases and it is possible, through proper planning, management and budgeting to make operational changes in the justice delivery system.

  Since the working of the Committee has just commenced, it is not yet possible to indicate the time frame within which its work will be completed but the Committee hopes to present a discussion paper with special reference to Case flow Management and court administration for the Supreme Court Judges Retreat scheduled to be held by the National Judicial Academy in December, 2007.
## FORMER CHIEF JUSTICES AND JUDGES

LIST OF RETIRED HON’BLE CHIEF JUSTICES (ARRANGED ACCORDING TO SENIORITY) AT THE TIME OF PUBLICATION

<table>
<thead>
<tr>
<th>S. No.</th>
<th>NAME</th>
<th>DATE OF APPOINTMENT</th>
<th>DATE OF APPOINTMENT AS CJI</th>
<th>DATE OF HELD OFFICE TILL</th>
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<tbody>
<tr>
<td>1.</td>
<td>Hon’ble Mr. Justice Harilal Jekisundas Kania</td>
<td>26/01/1950</td>
<td>26/01/1950</td>
<td>06/11/1951*</td>
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<td>2.</td>
<td>Hon’ble Mr. Justice M. Patanjali Sastrī</td>
<td>26/01/1950</td>
<td>07/11/1951</td>
<td>03/01/1954</td>
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<td>3.</td>
<td>Hon’ble Mr. Justice Mehr Chand Mahajan</td>
<td>26/01/1950</td>
<td>04/01/1954</td>
<td>22/12/1954</td>
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<td>4.</td>
<td>Hon’ble Mr. Justice Bijan Kumar Mukherjea</td>
<td>26/01/1950</td>
<td>23/12/1954</td>
<td>31/01/1956**</td>
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<td>5.</td>
<td>Hon’ble Mr. Justice Sudhi Ranjan Das</td>
<td>26/01/1950</td>
<td>01/02/1956</td>
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35. Hon’ble Mr. Justice P.K. Goswami 10/09/1973 31/12/1977
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<td>Hon’ble Mr. Justice D.M. Dharmadhikari</td>
<td>05/03/2002</td>
<td>13/08/2005</td>
</tr>
<tr>
<td>113</td>
<td>Hon’ble Mr. Justice Arun Kumar</td>
<td>03/10/2002</td>
<td>11/04/2006</td>
</tr>
<tr>
<td>114</td>
<td>Hon’ble Mr. Justice B.N. Srikrishna</td>
<td>03/10/2002</td>
<td>20/05/2006</td>
</tr>
<tr>
<td>115</td>
<td>Hon’ble Dr. Justice AR. Lakshmanan</td>
<td>20/12/2002</td>
<td>21/03/2007</td>
</tr>
</tbody>
</table>

* Date of Death
** Date of Resignation
The view of the Supreme Court Building - from the rear side
The highest Administrative Officer of the Supreme Court is the Secretary General (earlier designated as Court Administrator-cum-Registrar General). However, until 1987, the Registrar was the highest officer. The post of the Secretary General, which is equivalent to the post of Secretary to the Government of India, is exclusively meant for District and Sessions Judge. It came into existence in May, 1987. Since then, Seven Officers (excluding the present Secretary General) belonging to Higher Judicial Service of different States have adorned this post. So far, 31 officers have held the post of Registrar of the Supreme Court. The post of Court Administrator-cum-Registrar General was later renamed as Secretary General. Two separate lists showing names and period of former Registrars General and Registrars are as follows:

18.1 Registrars General – Supreme Court of India

<table>
<thead>
<tr>
<th>S.No</th>
<th>Name of the Officer</th>
<th>From</th>
<th>To</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Shri Sankatha Rai</td>
<td>01.06.1987</td>
<td>03.11.1992</td>
</tr>
<tr>
<td>4.</td>
<td>Shri Bhanwar Singh</td>
<td>27.04.1998</td>
<td>26.03.1999</td>
</tr>
<tr>
<td>5.</td>
<td>Shri Lal Chand Bhadoo</td>
<td>27.03.1999</td>
<td>19.01.2003</td>
</tr>
<tr>
<td>7.</td>
<td>Shri B.M. Gupta</td>
<td>29.06.2004</td>
<td>24.11.2005</td>
</tr>
</tbody>
</table>
### 18.2 List Showing the Names of Former Registrars of Supreme Court

<table>
<thead>
<tr>
<th>S.No.</th>
<th>Name</th>
<th>From</th>
<th>To</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Shri P.N. Murthy</td>
<td>26.01.1950</td>
<td>04.01.1956</td>
</tr>
<tr>
<td>2.</td>
<td>Shri K.Krishnaswami Aiyar</td>
<td>05.01.1956</td>
<td>01.04.1956</td>
</tr>
<tr>
<td>3.</td>
<td>Shri Arindam Dutt</td>
<td>02.04.1956</td>
<td>14.06.1962</td>
</tr>
<tr>
<td>4.</td>
<td>Shri S.N. Sharma</td>
<td>01.07.1962</td>
<td>15.03.1964</td>
</tr>
<tr>
<td>5.</td>
<td>Shri Y.D. Desai</td>
<td>13.08.1963</td>
<td>19.04.1969</td>
</tr>
<tr>
<td>6.</td>
<td>Shri C.V. Rane</td>
<td>09.06.1969</td>
<td>19.10.1971</td>
</tr>
<tr>
<td>7.</td>
<td>Shri M.P. Saxena</td>
<td>20.10.1971</td>
<td>30.04.1979</td>
</tr>
<tr>
<td>9.</td>
<td>Shri R.Narasimhan</td>
<td>16.01.1978</td>
<td>31.03.1984</td>
</tr>
<tr>
<td>10.</td>
<td>Shri R.Subba Rao</td>
<td>01.05.1979</td>
<td>31.03.1986</td>
</tr>
<tr>
<td>11.</td>
<td>Shri A.N. Oberai</td>
<td>01.04.1986</td>
<td>29.02.1988</td>
</tr>
<tr>
<td>12.</td>
<td>Shri H.S. Munjral</td>
<td>02.04.1987</td>
<td>31.08.1988</td>
</tr>
<tr>
<td>16.</td>
<td>Shri Yoginder Lal</td>
<td>01.03.1989</td>
<td>30.06.1989</td>
</tr>
<tr>
<td>17.</td>
<td>Shri S. Vardarajan</td>
<td>01.07.1989</td>
<td>31.08.1989</td>
</tr>
<tr>
<td>19.</td>
<td>Shri Susanta Ghosh</td>
<td>01.02.1990</td>
<td>25.10.1996</td>
</tr>
<tr>
<td>21.</td>
<td>Shri L.C. Bhadoo</td>
<td>01.03.1993</td>
<td>26.02.1999</td>
</tr>
<tr>
<td>No.</td>
<td>Name</td>
<td>Appointment Date</td>
<td>Departure Date</td>
</tr>
<tr>
<td>-----</td>
<td>-------------------</td>
<td>------------------</td>
<td>----------------</td>
</tr>
<tr>
<td>25.</td>
<td>Shri B.M. Gupta</td>
<td>05.04.1999</td>
<td>23.06.2004</td>
</tr>
<tr>
<td>27.</td>
<td>Shri Suresh Chandra</td>
<td>18.12.2002</td>
<td>31.01.2004</td>
</tr>
<tr>
<td>28.</td>
<td>Shri J.K. Sharma</td>
<td>03.02.2004</td>
<td>31.07.2006</td>
</tr>
<tr>
<td>29.</td>
<td>Shri Hemant Sampat</td>
<td>08.12.2005</td>
<td>07.02.2007</td>
</tr>
<tr>
<td>30.</td>
<td>Shri B. Sudheendra Kumar</td>
<td>20.03.2006</td>
<td>01.09.2007</td>
</tr>
<tr>
<td>31.</td>
<td>Shri R.K. Gauba</td>
<td>11.05.2006</td>
<td>12.01.2007</td>
</tr>
</tbody>
</table>
Rear side of the Supreme Court - A glimpse from the Central Wing
There are three categories of Advocates who are entitled to practice law before the Supreme Court.

19.1 Senior Advocates

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 an 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.

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.

19.2 Advocates-on-record

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.

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.

19.3 Advocates

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).
The Supreme Court Bar Association represents all the advocates practising at the Supreme Court of India. Advocates-on-Record have their own separate association also.

The Supreme Court Bar Association is very active and organizes lecture series presided over by sitting Judges of Supreme Court of India for the benefit of its Members and legal fraternity on various topics. Various other programmes also are conducted for the benefit of Advocates.

The Association has been able to get land in Noida and a “Supreme Court Bar Association Multi-State Cooperative Group Housing Society” has been constituted to enable Members of the Association to get flats.

Medical Care Centre at New Chambers Block has been set up. The same was inaugurated on 27th April, 2005 by Hon’ble Mr. Justice Y. K. Sabharwal, the then Chief Justice of India.

19.4 Lawyers Chambers

When the Federal Court/Supreme Court was located in the Parliament House there were no lawyers chambers and the Advocates had their own private offices. Subsequent to the shifting of Supreme Court to its building in 1958, 43 Lawyers Chambers were constructed in the year 1959 and allotment of these chambers was made to the Advocates in the year 1960. Thereafter, to meet the growing need, 35 more chambers were constructed in the second block of Lawyers Chambers in the year 1963. Since the number of Advocates-on-Record was increasing and the chambers available for allotment became totally inadequate, to meet the needs of the members of the Bar, third block of lawyers chambers consisting of 27 chambers was constructed in the year 1972. Fourth block of lawyers chambers was constructed in the year 1978. In addition to the above, four Lawyers Chambers Blocks in the Supreme Court premises and one Lawyers Chambers Building at Bhagwan Das Road were constructed in the year 1998 which consists of 149 chambers and 23 Cabins.

Even after construction of the aforesaid Lawyers’ Chambers, the Chambers were not adequate to meet the requirements of the Senior Advocates, Advocates-on-Record and Non Advocates-on-Record. In order to meet the needs of chambers of Advocates, a four-storied Lawyers Chambers’ Building (ground floor + three floors) was constructed at Tilak Lane behind Indian Law Institute at Bhagwan Das Road which has 72 chambers, canteen with kitchen and conference hall. The building was inaugurated on 20-10-2005 by Hon’ble the then Chief Justice of India, Shri R.C. Lahoti.

The Lawyers Chambers at Bhagwan Das Road have been renamed as “M.C. Setalvad Lawyers Chambers” and have been dedicated to the memory of Late Shri M.C. Setalvad and the Lawyers Chambers in Tilak Lane have been renamed as “C.K. Daphtary Lawyers Chambers”.

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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, shall be charged upon the Consolidated Fund of India, and any fees or other moneys taken by the Court shall form part of that fund.

The Budgetary Grants for the financial years 2006-07 and 2007-08 are Rs. 52.00 crores and Rs. 53.26 crores respectively.
Some of the Publications of the Supreme Court
SUPREME COURT AND THE MEDIA

The media is allowed to observe the proceedings of the Supreme Court and report in various newspapers and other national news agencies, like All India Radio, Doordarshan, PTI, UNI, etc. 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 meet 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 by issue of identity cards to them. They are also afforded all basic facilities and comfortable working environment in the Press Lounge to do their work with ease. They are provided other facilities, like telephone, computer etc. in the Press Lounge. They are also provided free copies of the daily Cause List of the Court as also copies of all the judgments. This helps them to identify the important and sensitive cases and to report the judgments and orders correctly.