COURT NEWS

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Hon'ble Mr. Justice Anil R. Dave, Judge, Supreme Court of India
Hon'ble Mr. Justice Dipak Misra, Judge, Supreme Court of India
Hon'ble Mr. Justice J. Chelameswar, Judge, Supreme Court of India

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LIST OF SUPREME COURT JUDGES

(As on 31-03-2016)

S.No.	Name of the Hon'ble Judge	Date of Appointment	Date of Retirement
01.	Hon'ble Mr. Justice T.S. Thakur, Chief Justice of India	17-11-2009 As CJI: 03-12-2015	04-01-2017
02.	Hon'ble Mr. Justice Anil R. Dave	30-04-2010	19-11-2016
03.	Hon'ble Mr. Justice J.S. Khehar	13-09-2011	28-08-2017
04.	Hon'ble Mr. Justice Dipak Misra	10-10-2011	03-10-2018
05.	Hon'ble Mr. Justice J. Chelameswar	10-10-2011	23-06-2018
06.	Hon'ble Mr. Justice F.M. Ibrahim Kalifulla	02-04-2012	23-07-2016
07.	Hon'ble Mr. Justice Ranjan Gogoi	23-04-2012	18-11-2019
08.	Hon'ble Mr. Justice Madan B. Lokur	04-06-2012	31-12-2018
09.	Hon'ble Mr. Justice V. Gopala Gowda	24-12-2012	06-10-2016
10.	Hon'ble Mr. Justice Pinaki Chandra Ghose	08-03-2013	28-05-2017
11.	Hon'ble Mr. Justice Kurian Joseph	08-03-2013	30-11-2018
12.	Hon'ble Mr. Justice A.K. Sikri	12-04-2013	07-03-2019
13.	Hon'ble Mr. Justice Sharad Arvind Bobde	12-04-2013	24-04-2021
14.	Hon'ble Mr. Justice Shiva Kirti Singh	19-09-2013	13-11-2016
15.	Hon'ble Mr. Justice C. Nagappan	19-09-2013	04-10-2016
16.	Hon'ble Mr. Justice R.K. Agrawal	17-02-2014	05-05-2018
17.	Hon'ble Mr. Justice N.V. Ramana	17-02-2014	27-08-2022
18.	Hon'ble Mr. Justice Arun Mishra	07-07-2014	03-09-2020
19.	Hon'ble Mr. Justice Adarsh Kumar Goel	07-07-2014	07-07-2018
20.	Hon'ble Mr. Justice R.F. Nariman	07-07-2014	13-08-2021
21.	Hon'ble Mr. Justice Abhay Manohar Sapre	13-08-2014	28-08-2019
22.	Hon'ble Mrs. Justice R. Banumathi	13-08-2014	20-07-2020
23.	Hon'ble Mr. Justice Prafulla C. Pant	13-08-2014	30-08-2017
24.	Hon'ble Mr. Justice Uday U. Lalit	13-08-2014	09-11-2022
25.	Hon'ble Mr. Justice Amitava Roy	27-02-2015	01-03-2018

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This newsletter is intended to provide public access to information on the activities and achievements of the Indian Judiciary in general. While every care has been taken to ensure accuracy and to avoid errors/omissions, information given in the newsletter is merely for reference and must not be taken as having the authority of, or being binding in any way on, the Editorial Board of the newsletter and the officials involved in compilation thereof, who do not owe any responsibility whatsoever for any loss, damage, or distress to any person, whether or not a user of this publication, on account of any action taken or not taken on the basis of the information given in this newsletter.

APPOINTMENTS AND RETIREMENTS IN THE SUPREME COURT OF INDIA

(FROM 01-01-2016 TO 31-03-2016)

RETIREMENT

S.No.	Name of the Hon'ble Judge	Date of Retirement
1.	Hon'ble Mr. Justice M. Yusuf Eqbal	13-02-2016

APPOINTMENTS AND RETIREMENTS IN THE HIGH COURTS
(FROM 01-01-2016 TO 31-03-2016)

S. No.	Name of High Court	Name of the Hon'ble Judge	Date of Appointment
1.	Bombay	Prakash Deu Naik	17-03-2016
		Makarand Subhash Karnik	17-03-2016
		Swapna Sanjiv Joshi	28-03-2016
		Kishor Kalesh Sonawane	28-03-2016
		Sangitrao Shamrao Patil	28-03-2016
		Nutan D. Sardessai	28-03-2016
2.	Gauhati	Ajit Singh (As Chief Justice)	05-03-2016
3.	Gujarat	R.S. Reddy (As Chief Justice)	13-02-2016
4.	Karnataka	S.K. Mukherjee (As Chief Justice)	23-02-2016
5.	Manipur	Songkhupchung Serto	14-03-2016
6.	Meghalaya	Dinesh Maheshwari (As Chief Justice)	24-02-2016
7.	Orissa	Vineet Saran (As Chief Justice)	26-02-2016
8.	Rajasthan	S.K. Mittal (As Chief Justice)	05-03-2016

TRANSFERS BETWEEN THE HIGH COURTS
(FROM 01-01-2016 TO 31-03-2016)

S. No.	From	To	Name of the Hon'ble Judge	Date of Transfer
1.	Punjab & Haryana	Patna	Hemant Gupta	08-02-2016
2.	Rajasthan	Gujarat	Bela M. Trivedi	09-02-2016
3.	Jharkhand	Gujarat	P.P. Bhatt	11-02-2016
4.	Gujarat	Karnataka	J.M. Patel	13-02-2016
5.	Jharkhand	Manipur	R.R. Prasad	15-02-2016
6.	Orissa	Bombay	D.H. Waghela (Chief Justice)	15-02-2016
7.	Madras	Calcutta	C.S. Karnan	10-03-2016
8.	Allahabad	Calcutta	Rakesh Tiwari	21-03-2016

VACANCIES IN THE COURTS

A) SUPREME COURT OF INDIA (As on 31-03-2016)

Sanctioned Strength	Working strength	Vacancies
31	25	06

B) HIGH COURTS (As on 31-03-2016)

S. No.	Name of the High Court	Sanctioned Strength	Working Strength	Vacancies
1	Allahabad	160	70	90
2	Andhra Pradesh & Telangana	61	25	36
3	Bombay	94	66	28
4	Calcutta	58	43	15
5	Chhatisgarh	22	9	13
6	Delhi	60	39	21
7	Gujarat	52	30	22
8	Gauhati	24	14	10
9	Himachal Pradesh	13	7	6
10	Jammu & Kashmir	17	9	8
11	Jharkhand	25	12	13
12	Karnataka	62	31	31
13	Kerala	38	35	3
14	Madhya Pradesh	53	29	24
15	Madras	60	43	17
16	Manipur	5	5	0
17	Meghalaya	4	2	2
18	Orissa	27	19	8
19	Patna	53	29	24
20	Punjab & Haryana	85	46	39
21	Rajasthan	50	24	26
22	Sikkim	3	2	1
23	Tripura	4	4	0
24	Uttarakhand	11	6	5
TOTAL		**1041**	**599**	**442**

- Above statement is compiled on the basis of figures received from the High Courts

C) DISTRICT & SUBORDINATE COURTS (As on 31-03-2016)

S. No.	State/ Union Territory	Sanctioned Strength	Working Strength	Vacancies
1	Uttar Pradesh	2394	1802	592
2	Andhra Pradesh & Telangana	962	750	212
3(a)	Maharashtra	2257	1931	326
3(b)	Goa	57	47	10
3(c)	Diu and Daman & Silvasa	7	6	1
4	West Bengal and Andaman & Nicobar	1013	925	88
5	Chhatisgarh	394	340	54
6	Delhi	778	490	288
7	Gujarat	1950	1163	787
8(a)	Assam	424	317	107
8(b)	Nagaland	27	24	3
8(c)	Mizoram	63	30	33
8(d)	Arunachal Pradesh	17	15	2
9	Himachal Pradesh	154	142	12
10	Jammu & Kashmir	245	220	25
11	Jharkhand	592	460	132
12	Karnataka	1126	822	304
13(a)	Kerala	464	439	25
13(b)	Lakshadweep	3	3	0
14	Madhya Pradesh	1461	1250	211
15	Manipur	41	34	7
16	Meghalya	57	29	28
17(a)	Tamil Nadu	1027	962	65
17(b)	Puducherry	26	14	12
18	Orissa	716	597	119
19	Bihar	1821	1042	779
20(a)	Punjab	674	495	179
20(b)	Haryana	644	472	172
20(c)	Chandigarh	30	30	0
21	Rajasthan	1191	1000	191
22	Sikkim	18	14	4
23	Tripura	104	64	40
24	Uttarakhand	280	206	74
TOTAL		**21017**	**16135**	**4882**

- Above statement is compiled on the basis of figures received from the High Courts

INSTITUTION, DISPOSAL AND PENDENCY OF CASES IN THE SUPREME COURT [01-01-2016 to 31-03-2016]

i) Table I

						Pendency (At the end of 31-12-2015)		
						Admission matters	Regular matters	Total matters
						33,263	26,009	59,272
Institution (01-01-2016 to 31-03-2016) (including unregistered CC matters and conversion)			**Disposal (01-01-2016 to 31-03-2016) (including unregistered CC matters and conversion)**			**Pendency (At the end of 31-03-2016)**		
Admission matters	Regular matters	Total matters	Admission matters	Regular matters	Total matters	Admission matters	Regular matters	Total matters
17,903	2,333	20,236	17,790	2,123	19,913	33,376	26,219	59,595

ii) Table II

	OPENING BALANCE AS ON 01-01-16	**INSTITUTION FROM 01-01-16 TO 31-03-16**	**DISPOSAL FROM 01-01-16 TO 31-03-16**	**PENDENCY AT THE END OF 31-03-16**
CIVIL CASES	48,181	15,413	15,062	48,532
CRIMINAL CASES	11,091	4,823	4,851	11,063
ALL CASES (TOTAL)	59,272	20,236	19,913	59,595

Note:

1. *Out of the **59,595** pending matters as on 31-03-2016, if connected matters are excluded, the pendency is only of **34,562** matters as on 31-03-2016.*
2. *Out of the **59,595** pending matters as on 31-03-2016, **16,561** matters are upto one year old and thus arrears i.e. cases pending more than a year are only of **43,034** matters as on 31-03-2016.*
3. *Total institution shown above of **20,236** matters includes conversion of **2,295** matters from one case type to other and also registration of **7,024** unregistered CC matters.*
4. *Total Disposal shown above of **19,913** matters includes conversion of **837** matters from one case type to other and also registration of **6,994** unregistered CC matters*

INSTITUTION, DISPOSAL AND PENDENCY OF CASES IN THE HIGH COURTS
(FROM 01-01-16 TO 31-03-16)

S. No.	Name of the High Court	Cases brought forward from the previous Year (Nos.) (Civil/Crl.) As on 01/01/2016			Freshly instituted Cases during the First Quarter (Jan-Mar 2016) Nos. (Civil/Crl.)			Disposed of Cases during the First Quarter (Jan- Mar 2016) Nos. (Civil/Crl.)			Pending Cases at the end of the First Quarter (Jan -Mar 2016) Nos. (Civil/Crl.) (As on 31/03/2016)			% of Institution of Cases w.r.t Opening Balance as on 1/1/16	% of Disposal of Cases w.r.t Opening Balance as on 1/1/16	% Increase or Decrease in Pendency w.r.t Opening Balance as on 1/1/16
		CIVIL	CRL.	(Civ + Crl.)	CIVIL	CRL.	(Civ + Crl.)	CIVIL	CRL.	(Civ + Crl.)	CIVIL	CRL.	(Civ + Crl.)			
1	Allahabad	559499	359330	918829	30583	35325	65908	35456	36243	71699	554626	358412	913038	7.17	7.80	-0.63
2	Andhra Pradesh & Telangana	232061	38211	270272	16734	5948	22682	14183	5800	19983	234612	38359	272971	8.39	7.39	1.00
3	Bombay	199902	46842	246744	20453	6628	27081	17462	5475	22937	202893	47995	250888	10.98	9.30	1.68
4	Calcutta	181344	39938	221282	12184	4215	16399	12143	4327	16470	181385	39826	221211	7.41	7.44	-0.03
5	Chhatisgarh	31136	18975	50111	4090	3671	7761	3453	3319	6772	31773	19327	51100	15.49	13.51	1.97
6	Delhi	52962	15822	68784	7116	3917	11033	13339	3389	16728	46739	16350	63089	16.04	24.32	-8.28
7	Gujarat	51834	33120	84954	10604	11111	21715	10582	11056	21638	51856	33175	85031	25.56	25.47	0.09
8	Gauhati	21169	4779	25948	3444	486	3930	2532	333	2865	22081	4932	27013	15.15	11.04	4.10
9	Himachal Pradesh	26521	5579	32100	3790	685	4475	3997	661	4658	26314	5603	31917	13.94	14.51	-0.57
10	Jammu & Kashmir	51956	4497	56453	2969	478	3447	2065	134	2199	52860	4841	57701	6.11	3.90	2.21
11	Jharkhand	42570	37849	80419	2764	5552	8316	2693	4548	7241	42641	38853	81494	10.34	9.00	1.34
12	Karnataka	217635	19819	237454	48402	4843	53245	44180	4001	48181	221857	20661	242518	22.42	20.29	2.13
13	Kerala	121306	36063	157369	19697	5775	25472	18597	6234	24831	122406	35604	158010	16.19	15.78	0.41
14	Madhya Pradesh	171853	101974	273827	19740	16780	36520	16267	15578	31845	175326	103176	278502	13.34	11.63	1.71
15	Madras	250133	34295	284428	26723	15543	42266	21548	14323	35871	255308	35515	290823	14.86	12.61	2.25
16	Manipur	3179	136	3315	362	11	373	418	21	439	3123	126	3249	11.25	13.24	-1.99
17	Meghalaya*	544	37	581	154	23	177	130	21	151	568	39	607	30.46	25.99	4.48
18	Orissa	130748	38705	169453	8011	8400	16411	9819	6825	16644	128940	40280	169220	9.68	9.82	-0.14
19	Patna	79102	49636	128738	8228	15583	23811	7996	16202	24198	79334	49017	128351	18.50	18.80	-0.30
20	Punjab & Haryana	208844	79507	288351	15589	15372	30961	22375	11781	34156	202058	83098	285156	10.74	11.85	-1.11
21	Rajasthan	183001	62452	245453	13572	11328	24900	11879	9983	21862	184694	63797	248491	10.14	8.91	1.24
22	Sikkim	81	33	114	14	21	35	12	9	21	83	45	128	30.70	18.42	12.28
23	Tripura	2485	552	3037	423	140	563	566	187	753	2342	505	2847	18.54	24.79	-6.26
24	Uttarakhand	18560	8120	26680	2384	1708	4092	1491	1560	3051	19453	8268	27721	15.34	11.44	3.90
Total		2838425	1036271	3874696	278030	173543	451573	273183	162010	435193	2843272	1047804	3891076	11.65	11.23	0.42

- Above statement is compiled on the basis of figures received from the High Courts

* Opening balance modified by the High Court concerned

INSTITUTION, DISPOSAL AND PENDENCY OF CASES IN THE DISTRICT & SUBORDINATE COURTS

(FROM 01-01-16 TO 31-03-16)

S. No	Name of the State/UT	Cases brought forward from the previous Year (Nos.) (Civil/Crl.) As on 01/01/2016			Freshly instituted Cases (Nos.) during the First Quarter (Jan-Mar 2016) (Civil/Crl.)			Disposed of Cases (Nos.) during the First Quarter (Jan-Mar 2016) (Civil/Crl.)			Pending Cases (Nos.) at the end of the First Quarter (Jan-Mar 2016) (Civil/Crl.) (As on 31/03/2016)			% of Institution of Cases w.r.t Opening Balance as on 1/1/16	% of Disposal of Cases w.r.t Opening Balance as on 1/1/16	% Increase or Decrease in Pendency w.r.t Opening Balance as on 1/1/16
		CIVIL	CRL.	(Civ + Crl.)	CIVIL	CRL.	(Civ + Crl.)	CIVIL	CRL.	(Civ + Crl.)	CIVIL	CRL.	(Civ + Crl.)			
1	Uttar Pradesh	1466922	4107568	5574490	183417	743150	926567	159194	605539	764733	1491145	4245179	5736324	16.62	13.72	2.90
2	Andhra Pradesh & Telangana	498679	532836	1031515	62018	100839	162857	68449	96686	165135	492248	536989	1029237	15.79	16.01	-0.22
3(a)	Maharashtra	1081953	1912121	2994074	100138	624299	724437	84740	539000	623740	1097351	1997420	3094771	24.20	20.83	3.36
3(b)	Goa	24445	15170	39615	3525	6093	9618	3567	5213	8780	24403	16050	40453	24.28	22.16	2.12
3(c)	Diu and Daman	938	785	1723	190	315	505	165	347	512	963	753	1716	29.31	29.72	-0.41
3(d)	Silvasa	1488	2415	3903	103	199	302	42	215	257	1549	2399	3948	7.74	6.58	1.15
4(a)	West Bengal	568478	2050335	2618813	39008	289113	328121	41270	249942	291212	566216	2089506	2655722	12.53	11.12	1.41
4(b)	Andaman & Nicobar	3281	6214	9495	226	2041	2267	221	2493	2714	3286	5762	9048	23.88	28.58	-4.71
5	Chhatisgarh	64721	221241	285962	8571	36133	44704	8730	42151	50881	64562	215223	279785	15.63	17.79	-2.16
6	Delhi	154145	414784	568929	35682	144075	179757	28646	147030	175676	161181	411829	573010	31.60	30.88	0.72
7	Gujarat	657830	1484181	2142011	49012	228577	277589	50506	239578	290084	656336	1473180	2129516	12.96	13.54	-0.58
8(a)	Assam	67375	175128	242503	13797	46255	60052	12932	35982	48914	68240	185401	253641	24.76	20.17	4.59
8(b)	Nagaland	1643	2219	3862	558	579	1137	318	401	719	1883	2397	4280	29.44	18.62	10.82
8(c)	Mizoram	2266	2405	4671	756	1119	1875	790	991	1781	2232	2533	4765	40.14	38.13	2.01
8(d)	Arunachal Pradesh	1457	7319	8776	362	1089	1451	189	394	583	1630	8014	9644	16.53	6.64	9.89
9	Himachal Pradesh	96513	110214	206727	14592	68258	82850	14422	55737	70159	96683	122735	219418	40.08	33.94	6.14
10	Jammu & Kashmir	45427	79336	124763	10041	29101	39142	8049	19761	27810	47419	88676	136095	31.37	22.29	9.08
11	Jharkhand	65457	258900	324357	4845	27167	32012	5305	22542	27847	64997	263525	328522	9.87	8.59	1.28
12	Karnataka	674814	594152	1268966	87732	221229	308961	79730	208161	287891	683139	607345	1290484	24.35	22.69	1.70
13(a)	Kerala	431724	913403	1345127	84229	268456	352685	86892	208384	295276	429061	973475	1402536	26.22	21.95	4.27
13(b)	Lakshadweep	131	249	380	12	62	74	3	96	99	140	215	355	19.47	26.05	-6.58
14	Madhya Pradesh	261517	930282	1191799	45351	189833	235184	34469	183854	218323	272399	936261	1208660	19.73	18.32	1.41
15	Manipur	3532	3353	6885	862	920	1782	662	867	1529	3732	3406	7138	25.88	22.21	3.67
16	Meghalaya*	3638	10140	13778	715	2793	3508	994	2201	3195	3359	10732	14091	25.46	23.19	2.27
17(a)	Tamil Nadu#	651697	431096	1082793	87202	134526	221728	87086	132297	219383	649860	431916	1081776	20.48	20.26	-0.09
17(b)	Puducherry	12720	12253	24973	3730	2308	6038	2645	2011	4656	13805	12550	26355	24.18	18.64	5.53
18	Orissa	263879	800160	1064039	18183	80298	98481	14583	51210	65793	267479	829248	1096727	9.26	6.18	3.07
19	Bihar*	335976	1737327	2073303	18612	90573	109185	16946	79278	96224	337642	1748622	2086264	5.27	4.64	0.63
20(a)	Punjab	244826	259202	504028	47390	113373	160763	46773	104310	151083	245443	268265	513708	31.90	29.98	1.92
20(b)	Haryana	231530	292751	524281	42786	101034	143820	40093	97366	137459	234223	296419	530642	27.43	26.22	1.21
20(c)	Chandigarh	15154	21168	36322	4570	38268	42838	4275	37106	41381	15449	22330	37779	117.94	113.93	4.01
21	Rajasthan	472996	1006177	1479173	53081	269032	322113	46415	238542	284957	479662	1036667	1516329	21.78	19.26	2.51
22	Sikkim	403	896	1299	92	283	375	95	246	341	400	933	1333	28.87	26.25	2.62
23	Tripura	10632	119157	129789	2170	72058	74228	3040	45570	48610	9762	145645	155407	57.19	37.45	19.74
24	Uttarakhand	30882	135736	166618	5788	44298	50086	5623	37642	43265	31047	142392	173439	30.06	25.97	4.09
Total		8449069	18650673	27099742	1029346	3977746	5007092	957859	3493143	4451002	8518926	19133992	27652918	18.48	16.42	2.04

- Above statement is compiled on the basis of figures received from the High Courts

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* Opening balance modified by the High Court concerned.

\# Pendency figures as on 31-03-2016 modified by the High Court concerned

SOME SUPREME COURT JUDGMENTS/ORDERS OF PUBLIC IMPORTANCE (01-01-2016 TO 31-03-2016)

1. On 11th January, 2016, in the case of *M/s Sciemed Overseas Inc. v. BOC India Limited & Ors.* [SLP © No. 29125 of 2008], while examining the question as to whether the High Court was correct in imposing costs of Rs.10 lakhs on the petitioner for filing a false or misleading affidavit in the Court, the Bench held that "the imposition of costs, although somewhat steep, was fully justified"

The Bench observed that "a global search of cases pertaining to the filing of a false affidavit indicates that the number of such cases that are reported has shown an alarming increase in the last fifteen years as compared to the number of such cases prior to that. This ' is illustrative of the malaise that is slowly but surely creeping in. This 'trend' is certainly an unhealthy one that should be strongly discouraged, well before the filing of false affidavits gets to be treated as a routine and normal affair."

2. On 22nd January, 2016, in the case of *Pooja Pal v. Union of India & Ors.* [Criminal Appeal No.77 of 2016], where the appellant's husband had been mercilessly killed by a group of gun wielding assailants in a public place, in the open view of all concerned, the CBI was entrusted with the task of undertaking a de novo investigation in the incident.

It was held that that "notwithstanding the pendency of the trial, and the availability of the power of the courts below under Sections 311 and 391 of the Code read with Section 165 of the Evidence Act, it is of overwhelming and imperative necessity that to rule out any possibility of denial of justice to the parties and more importantly to instill and sustain the confidence of the community at large, the CBI ought to be directed to undertake a de novo investigation in the incident." The Bench was of the view that "in the unique facts and circumstances of the case any contrary view would leave the completed process of crime detection in the case wholly inconsequential and the judicial process impotent."

3. On 29th January, 2016, in the case of *Dharam Pal v. State of Haryana* & Ors. [Criminal Appeal No. 85 of 2016], it was held that the "Constitutional courts can direct for further investigation or investigation by some other investigating agency. The purpose is, there has to be a fair investigation and a fair trial. The fair trial may be quite difficult unless there is a fair investigation."

It was held that though "direction for further investigation by another agency has to be very sparingly issued" but the facts depicted in this case compelled it to exercise

the said power so that miscarriage of justice is avoided. The Bench elucidated that the "power to order fresh, *de-novo* or re-investigation being vested with the Constitutional Courts, the commencement of a trial and examination of some witnesses cannot be an absolute impediment for exercising the said constitutional power which is meant to ensure a fair and just investigation."

The Bench observed that "it can never be forgotten that as the great ocean has only one test, the test of salt, so does justice has one flavour, the flavour of answering to the distress of the people without any discrimination." It was further observed that "truth remains and sparkles when justice is done" and "it is the bounden duty of a Court of law to uphold the truth and truth means absence of deceit, absence of fraud and in a criminal investigation a real and fair investigation, not an investigation that reveals itself as a sham one."

4. On 5th February, 2016, in *Re – Inhuman Conditions in 1382 Prisons* [Writ Petition (Civil) No.406 of 2013], it was held that prisoners, like all human beings, deserve to be treated with dignity and to give effect to this, following directions were issued by the Supreme Court: "(i) The Under Trial Review Committee in every district should meet every quarter and the first such meeting should take place on or before 31st March, 2016. The Secretary of the District Legal Services Committee should attend each meeting of the Under Trial Review Committee and follow up the discussions with appropriate steps for the release of undertrial prisoners and convicts who have undergone their sentence or are entitled to release because of remission granted to them; (ii) The Under Trial Review Committee should specifically look into aspects pertaining to effective implementation of Section 436 of the Cr.P.C. and Section 436A of the Cr.P.C. so that undertrial prisoners are released at the earliest and those who cannot furnish bail bonds due to their poverty are not subjected to incarceration only for that reason. The Under Trial Review Committee will also look into issue of implementation of the Probation of Offenders Act, 1958 particularly with regard to first time offenders so that they have a chance of being restored and rehabilitated in society; (iii) The Member Secretary of the State Legal Services Authority of every State will ensure, in coordination with the Secretary of the District Legal Services Committee in every district, that an adequate number of competent lawyers are empanelled to assist undertrial prisoners and convicts, particularly the poor and indigent, and that legal aid for the poor does not become poor legal aid. (iv) The Secretary of the District Legal Services Committee will also look into the issue of the release of undertrial prisoners in compoundable offences, the effort being to effectively explore the possibility of compounding offences rather than requiring a trial to take place; (v) The Director General of Police/Inspector General of Police in-charge of prisons should ensure that there is proper and effective utilization of available funds so that the living conditions of the prisoners is commensurate with human dignity. This also includes the issue of their

health, hygiene, food, clothing, rehabilitation etc. (vi) The Ministry of Home Affairs will ensure that the Management Information System is in place at the earliest in all the Central and District Jails as well as jails for women so that there is better and effective management of the prison and prisoners; (vii) The Ministry of Home Affairs will conduct an annual review of the implementation of the Model Prison Manual 2016 for which considerable efforts have been made not only by senior officers of the Ministry of Home Affairs but also persons from civil society. The Model Prison Manual 2016 should not be reduced to yet another document that might be reviewed only decades later, if at all. The annual review will also take into consideration the need, if any, of making changes therein; and (viii) The Under Trial Review Committee will also look into the issues raised in the Model Prison Manual 2016 including regular jail visits as suggested in the said Manual."

5. On 8th February, 2016, in the case of *Richa Mishra v. State of Chhattisgarh and Ors.* [Civil Appeal No. 274 of 2016], while examining an issue pertaining to appointment for the post of Deputy Superintendent of Police, the Bench held that "when affirmative actions are taken by lawmaker, in the form of subordinate legislation, they need to be enforced appropriately so that the purpose that is intended is suitably achieved." In the facts and circumstances of this case, it was held that "the intention of rule making authority was, and it continues to be so, to give benefit to age relaxation to women candidates and thus, the appellant was entitled to age relaxation as per Rule 4 of Madhya Pradesh Civil Services (Special Provision for appointment of women) Rules, 1997 read with State Services Examination, 2003 and she was, therefore, eligible to be considered for the post of Dy.S.P.

The Bench observed that "there is a bidirectional relationship between economic development and women's empowerment defined as improving the ability of women to access the constituents of development-in particular health, education, earning opportunities, rights, and political participation." It was further observed that "economic development, however, is not enough to bring about complete equality between men and women. Policy action is still necessary to achieve equality between genders."

6. On 11th February, 2016, in the case of *Tekan alias Tekram v. State of Madhya Pradesh (Now Chhattisgarh)* [Criminal Appeal No. 884 of 2015] where the prosecutrix, a blind and an illiterate girl, was subjected to sexual intercourse on the promise of marriage, the Supreme Court while examining the issue relating to relief and rehabilitation of victims of rape, directed all the States and Union Territories to make all endeavour to formulate a uniform scheme for providing victim compensation in respect of rape/sexual exploitation with the physically handicapped women as required under the law taking into consideration the scheme framed by the State of Goa for rape victim compensation. So far as the instant case was concerned, the respondent-State was

directed to pay a sum of Rs.8,000/- per month as victim compensation to the victim till her life time.

7. On 12th February, 2016, in the case of *Alagaapuram R. Mohanraj & Others v. Tamil Nadu Legislative Assembly Rep. by its Secretary & Another* [Writ Petition (Civil) No. 455 of 2015], it was held that "the scope and amplitude of the freedom of speech inhering in a citizen and available to a member of the legislative body are totally different. No citizen has a right to enter the legislative body and exercise his freedom of speech unless he first gets elected to such a legislative body in accordance with law. No legislator would continue to enjoy the freedom of speech contemplated under Articles 105 and 194 of the Constitution after the cessation of the membership of the legislative body." It was further held that "no doubt, when a legislator is prevented from participating in the proceedings of the House during the currency of the membership by virtue of some proceedings taken against such a legislator, there would be a curtailment of the legislator's constitutional right of free speech in the House of which such legislator is a member. But such curtailment is sanctioned by Constitution in view of the fact that such a right is made subject to other provisions of the Constitution, the rules and standing orders regulating the procedure of the legislative bodies." In this case, the Tamil Nadu Legislative Assembly had also resolved that the petitioners should not be paid their salaries or given other benefits which are due to them as members of the Legislative Assembly for the period of suspension. While examining the validity of this resolution, it was further held that "salary and other benefits to which the members of a legislative body are entitled to during their tenure are purely incidental to the membership and they don't even create an independent and indefeasible constitutional right. Therefore, the question that the deprivation of such benefits amounted to deprivation of fundamental right under Article 21 does not arise at all."

8. On 22nd February, 2016, in the case of *Sayyed Ratanbhai Sayeed (D) Th. Lrs. & Ors. v. Shirdi Nagar Panchayat & Anr.* [Civil Appeal No.14016 of 2015], while granting relief to appellants-small scale shopkeepers located in the vicinity of the internationally revered seat of Shirdi Sai Baba who were facing ouster from their sites, the Supreme Court held that the "consequence of the appellants being uprooted from their present sites of business" "would spell an overall dislocation in their lives."

The Bench held that the eviction of appellants "would assuredly eventuate a human problem" nevertheless "for the cause of paramount public interest, their eviction is unavoidable." Accordingly, the Bench considered it appropriate to direct "the State and its functionaries to undertake an exercise to identify a suitable site to accommodate the appellants" but "in case the endeavour to identify an alternative plot does not yield any result inspite of sincere efforts, the appellants would then be entitled to adequate monetary compensation as quantified herein."

9. On 23rd February, 2016, in the case of *Central Bureau of Investigation, Bank Securities & Fraud Cell v. Ramesh Gelli and others* [Criminal Appeal Nos. 1077-1081 of 2013], it was held that the accused-Chairman/Managing Director and Executive Director of Global Trust Bank (a private bank before its amalgamation with the public sector bank Oriental Bank of Commerce) were public servants for the purposes of Prevention of Corruption Act, 1988, by virtue of the provisions of Section 46A of the Banking Regulation Act, 1949 and the prosecutions launched against them under the Prevention of Corruption Act, 1988 for transactions relating to the period prior to amalgamation of Global Trust Bank with the Oriental Bank of Commerce were maintainable in law.

10. On 23rd February, 2016, in the case of *Hina v. Union of India & Ors.* [Civil Appeal No. 1676 of 2016], it was held that the second respondent-Corporation was not justified in rejecting the application of appellant for allotment of retail outlet of petroleum/diesel dealership on the ground that the age proof submitted by her was not of the Secondary School as per the norms, but of a Higher Secondary School. Noting that the appellant had submitted an attested copy of the School Leaving Certificate issued by a Higher Secondary School, the Bench held that when "a copy of the Secondary School Leaving Certificate can be accepted as proof of age, it does not even strike to common sense as to why the copy of the Higher Secondary School Leaving Certificate, duly attested, cannot be accepted as proof of age."

11. On 26th February, 2016, in the case of *Gajanan Dashrath Kharate v. State of Maharashtra* [Criminal Appeal No. 2057 of 2010], while affirming the conviction of accused-appellant for committing the murder of his father, the Supreme Court held that "when an offence like murder is committed in secrecy inside a house, the initial burden to establish the case would undoubtedly be upon the prosecution. In view of Section 106 of the Evidence Act, there will be a corresponding burden on the inmates of the house to give cogent explanation as to how the crime was committed. The inmates of the house cannot get away by simply keeping quiet and offering no explanation on the supposed premise that the burden to establish its case lies entirely upon the prosecution and there is no duty at all on the accused to offer. On the date of occurrence, when accused and his father Dashrath were in the house and when the father of the accused was found dead, it was for the accused to offer an explanation as to how his father sustained injuries. When the accused could not offer any explanation as to the homicidal death of his father, it is a strong circumstance against the accused that he is responsible for the commission of the crime." It was further held that "upon appreciation of oral evidence and the circumstance of the recovery of blood stained clothes of the accused and the conduct of the accused in not offering any explanation for the homicidal death of his father, by concurrent findings, the trial court and the High Court rightly convicted the appellant-accused under Section 302 IPC"

12. On 26th February, 2016, in the case of *Sadhu Saran Singh v. State of U.P. and Ors.* [Criminal Appeal Nos. 1467-1468 of 2005], it was held that the entire case cannot be derailed "on the mere ground of absence of independent witness as long as the evidence of the eyewitness, though interested, is trustworthy." The Bench held that "as far as the non-examination of any other independent witness is concerned, there is no doubt that the prosecution has not been able to produce any independent witness. But, the prosecution case cannot be doubted on this ground alone. In these days, civilized people are generally insensitive to come forward to give any statement in respect of any criminal offence. Unless it is inevitable, people normally keep away from the Court as they feel it distressing and stressful. Though this kind of human behaviour is indeed unfortunate, but it is a normal phenomena. We cannot ignore this handicap of the investigating agency in discharging their duty."

13. On 26th February, 2016, in the case of *Nagabhushanammal (D) by Lrs. v. C. Chandikeswaralingam* [Civil Appeal No.1858-59 of 2016], it was held that an earlier suit for possession and injunction based on a settlement deed executed by the husband of the plaintiff did not act as Res Judicata to the subsequent suit of plaintiff for partition. The Bench held that "the suit filed by the plaintiff in 1962, based on the settlement deed executed by her husband in her favour and the sufferance of the dismissal of the suit, will not, in any way, be a bar for making a claim for her share, if any, of the family property, if otherwise permissible under law. As succinctly addressed by the first appellate court, the 1962 suit for the entire property was based on a settlement deed and it was a suit for possession. Whereas, the 1988 suit for partition was for plaintiff's one-half share in the property based on her birth right. Cause of action is entirely different."

14. On 1st March, 2016, in the case of *State of M.P. v. Udaibhan* [Criminal Appeal No. 182 of 2016], it was held that "it is the duty of the Court awarding sentence to ensure justice to both the parties and therefore undue leniency in awarding sentence needs to be avoided because it does not have the necessary effect of being a deterrent for the accused and does not re-assure the society that the offender has been properly dealt with. It is not a very healthy situation to leave the injured and complainant side thoroughly dissatisfied with a very lenient punishment to the accused."

15. On 2nd March, 2016, in the case of *Uttam v. Saubhag Singh & Ors.* [Civil Appeal No. 2360 of 2005], the law, insofar as it applies to joint family property governed by the Mitakshara School, prior to the amendment of 2005, was summarized as follows:- "(i) when a male Hindu dies after the commencement of the Hindu Succession Act, 1956, having at the time of his death an interest in Mitakshara coparcenary property, his interest in the property will devolve by survivorship upon the surviving members of the coparcenary (vide Section 6); (ii) to proposition (i), an exception is contained in Section 30 Explanation of the Act, making it clear that notwithstanding anything contained in the

Act, the interest of a male Hindu in Mitakshara coparcenary property is property that can be disposed of by him by will or other testamentary disposition; (iii) a second exception engrafted on proposition (i) is contained in the proviso to Section 6, which states that if such a male Hindu had died leaving behind a female relative specified in Class I of the Schedule or a male relative specified in that Class who claims through such female relative surviving him, then the interest of the deceased in the coparcenary property would devolve by testamentary or intestate succession, and not by survivorship; (iv) In order to determine the share of the Hindu male coparcener who is governed by Section 6 proviso, a partition is effected by operation of law immediately before his death. In this partition, all the coparceners and the male Hindu's widow get a share in the joint family property; (v) On the application of Section 8 of the Act, either by reason of the death of a male Hindu leaving self-acquired property or by the application of Section 6 proviso, such property would devolve only by intestacy and not survivorship; and (vi) On a conjoint reading of Sections 4, 8 and 19 of the Act, after joint family property has been distributed in accordance with section 8 on principles of intestacy, the joint family property ceases to be joint family property in the hands of the various persons who have succeeded to it as they hold the property as tenants in common and not as joint tenants."

16. On 4th March, 2016, in the case of *Anant Prakash Sinha @ Anant Sinha v. State of Haryana & Anr.* [Criminal Appeal No. 131 of 2016], the Bench elucidated the principles that the Court must keep in view while adding or altering a charge under Section 216 CrPC. It was held that "the Court can change or alter the charge if there is defect or something is left out. The test is, it must be founded on the material available on record. It can be on the basis of the complaint or the FIR or accompanying documents or the material brought on record during the course of trial. It can also be done at any time before pronouncement of judgment. It is not necessary to advert to each and every circumstance. Suffice it to say, if the court has not framed a charge despite the material on record, it has the jurisdiction to add a charge. Similarly, it has the authority to alter the charge. The principle that has to be kept in mind is that the charge so framed by the Magistrate is in accord with the materials produced before him or if subsequent evidence comes on record. It is not to be understood that unless evidence has been let in, charges already framed cannot be altered, for that is not the purport of Section 216 CrPC." The Bench held that "another aspect also has to be kept in mind. It is obligatory on the part of the court to see that no prejudice is caused to the accused and he is allowed to have a fair trial. There are in-built safeguards in Section 216 CrPC. It is the duty of the trial court to bear in mind that no prejudice is caused to the accused as that has the potentiality to affect a fair trial."

17. On 29th March, 2016, in the case of *Goa Foundation & another v. State of Goa & another* [Writ Petition (Civil) No.131 of 2009], while dwelling on the competence of the

State Legislature to enact the State Amendment Act in view of an earlier decision of this Court, it was held that "the power to invalidate a legislative or executive act lies with the Court. A judicial pronouncement, either declaratory or conferring rights on the citizens cannot be set at naught by a subsequent legislative act for that would amount to an encroachment on the judicial powers. However, the legislature would be competent to pass an amending or a validating act, if deemed fit, with retrospective effect removing the basis of the decision of the Court. Even in such a situation the courts may not approve a retrospective deprivation of accrued rights arising from a judgment by means of a subsequent legislation. However, where the Court's judgment is purely declaratory, the courts will lean in support of the legislative power to remove the basis of a Court judgment even retrospectively, paving the way for a restoration of the status quo ante. Though the consequence may appear to be an exercise to overcome the judicial pronouncement it is so only at first blush; a closer scrutiny would confer legitimacy on such an exercise as the same is a normal adjunct of the legislative power."

18. On 30th March, 2016, in the case of *State of Punjab & Anr. v. Brijeshwar Singh Chahal & Anr.* [Civil Appeal No.3194 of 2016], while holding that appointment of Law Officers by the State Governments need to be made on a fair, reasonable, non-discriminatory and objective basis, the following propositions were summed up by the Supreme Court as legally unexceptionable: "(i) The Government and so also all public bodies are trustees of the power vested in them. (ii) Discharge of the trust reposed in them in the best possible manner is their primary duty. (iii) The power to engage, employ or recruit servants, agents, advisors and representatives must like any other power be exercised in a fair, reasonable, non-discriminatory and objective manner. (iv) The duty to act in a fair, reasonable, non-discriminatory and objective manner is a facet of the Rule of Law in a constitutional democracy like ours. (v) An action that is arbitrary has no place in a polity governed by Rule of Law apart from being offensive to the equality clause guaranteed by Article 14 of the Constitution of India. (vi) Appointment of Government counsel at the district level and equally so at the High Court level, is not just a professional engagement, but such appointments have a "public element" attached to them. (vii) Appointment of Government Counsel must like the discharge of any other function by the Government and public bodies, be only in public interest unaffected by any political or other extraneous considerations. (viii) The government and public bodies are under an obligation to engage the most competent of the lawyers to represent them in the Courts for it is only when those appointed are professionally competent that public interest can be protected in the Courts. (ix) The Government and public bodies are free to choose the method for selecting the best lawyers but any such selection and appointment process must demonstrate that a search for the meritorious was undertaken and that the process was unaffected by any extraneous considerations. (x) No lawyer has a right to be appointed as a State/Government counsel or as Public Prosecutor at any level, nor is there any vested right to claim an extension in the term

for which he/she is initially appointed. But all such candidates can offer themselves for appointment, re-appointment or extension in which event their claims can and ought to be considered on their merit, uninfluenced by any political or other extraneous considerations. (xi) Appointments made in an arbitrary fashion, without any transparent method of selection or for political considerations will be amenable to judicial review and liable to be quashed. (xii) Judicial review of any such appointments will, however, be limited to examining whether the process is affected by any illegality, irregularity or perversity/irrationality. The Court exercising the power of judicial review will not sit in appeal to reassess the merit of the candidates, so long as the method of appointment adopted by the competent authority does not suffer from any infirmity."

19. On 30th March, 2016, in the case of *Savelife Foundation & Anr. v. Union of India & Anr*. [Writ Petition (C) No. 235 of 2012], the Supreme Court examined a petition under Article 32 of the Constitution for development of supportive legal framework to protect Samaritans i.e. bystanders and passers-by who render help to victims of road accidents. Referring to the guidelines and standard operating procedure issued by the Central Government, Ministry of Road Transport and Highways for protection and examination of good Samaritans vide Notifications dated 12-5-2015 and 21-01-2016, the Bench ordered that the guidelines as modified by it "be complied with by the Union Territories and all the functionaries of the State Governments as law laid down by this Court under Article 32 read with Article 142 of the Constitution of India and the same be treated as binding as per the mandate of Article 141." The Bench directed that the "Court should not normally insist on appearance of Good Samaritans as that causes delay, expenses and inconvenience." However, it was clarified that "guidelines in relation to protection of a Good Samaritan are without prejudice to the liability of the driver of a motor vehicle involved in a road accident as specified under section 134 of the Motor Vehicles Act, 1988."

20. On 30th March, in the case of *Raghavendra Swamy Mutt vs. Uttaradi Mutt* [Civil Appeal No.3190 of 2016], it was held that "the High Court cannot admit a second appeal without examining whether it raises any substantial question of law for admission and thereafter, it is obliged to formulate the substantial question of law. Solely because the Court has the jurisdiction to pass an *ex parte* order, it does not empower it not to formulate the substantial question of law for the purpose of admission, defer the date of admission and pass an order of stay or grant an interim relief. That is not the scheme of CPC after its amendment in 1976 and that is not the tenor of precedents of this Court."

MAJOR ACTIVITIES OF NATIONAL JUDICIAL ACADEMY (NJA)

(01-01-2016 to 31-03-2016)

A) CONFERENCES FOR THE HIGH COURT JUSTICES

(i) **Advanced Course on Commercial Matters** for High Court Justices held from 16th to 23rd January, 2016 sought to deal with every practical aspect governing transactions amongst businesses. The programme also highlighted various emerging issues in commercial sphere, the nature of transactions undertaken by corporate players and sought to make the Justices familiar with the expectations of the corporate sector in adjudication of commercial matters. This programme took forward the principles of Contract Law analysed earlier in a similar programme held from August 27th – 30th, 2015. Discussions thorough the eight days of the programme laid stress on domestic and international tax laws, securities laws, new companies act along with some new areas like money laundering, project finance, legality of online poker etc.

(ii) Conference on **Capacity Building Seminar to handle Cyber Crimes** held from 29th to 31st January, 2016 for High Court Judges was organized with the object of making the justices familiar with the essential technical and legal aspects in providing justice to victims of cyber-crimes. The seminar sought to acquaint the participants on the essential skills necessary to cope with computer and internet-related offences. Further, new developments, new conventions, new protocols developed in the field governing cyber-crimes were also part of the conference.

(iii) **Seminar on Role of Courts and Regulators** held from 4th -7th February, 2016 worked to identify the ambiguous relationship between courts and regulators like SEBI, TRAI, Competition Commission of India & others. Discussions centered around three key areas viz. powers and functions of the above mentioned regulators, control of actions of these regulators by the courts in their review jurisdiction and the interaction between judicial review and operations which regulators are mandated to perform.

(iv) **Stress Management Workshop** of 27th & 28th February, 2016 for High Court justices looked at the emotional, cognitive, behavioral and physical effects of judicial stress and how it impacts performance, both, on and off the Bench. The Workshop worked towards making the participants familiar with the occupational stress faced by them in their area of work and discussed the individual and organizational strategies to prevent negative effects of stress in the decision making process. It further covered themes like cause and consequences of occupational stress and burn outs in judges, stress' concerns of newly elevated justices and trial court judges, temporal dimensions of 'Bench Stress', methods and techniques and organizational strategies to prevent occupational stress.

(v) **Seminar on Sentencing in Criminal Cases** held from 4th to 6th March, 2016 apart from seeking keen participation of the participant Justices through intensive case study discussions, also shed light on aspects like Sentencing Philosophies, traditional and emerging approaches to sentencing, sentencing for caste based atrocities, sentencing for gender related atrocities, sentencing objectively, sentencing for economic crimes, sentencing for sexual offences, sentencing leniently v/s sentencing harshly, sentencing for cyber crimes and sentencing practices from other countries

(vi) **Seminar on Power of Judicial Review: Scope and Dimensions** which was organized from 18th to 20th March, 2016 with the objective of tracing the trends in the exercise of power of judicial review in different High courts thus enabling the participant Justices to appreciate the difference amongst themselves on exercise of this power. It also initiated a much needed debate on the suitability of judicial review as an appropriate remedy in a range of commercial and regulatory issues which are brought before the courts. The Seminar further looked at the amenability of judicial review to private law disputes and the risks of resorting to judicial review in procurement cases.

B) CONFERENCE OF PRINCIPAL DISTRICT JUDGES (PDJS)

(i) Workshop for Court Administration which was held from 8th to 10th January, 2016 concentrated on issues related to court administration and capacity building towards effective court administration. Experts from different domains like law, management, psychology provided inputs in discussion on ways and methods to be devised for improving court administration and streamlining the court processes.

(ii) Workshop held from 19th -21st February, 2016 dealt with the **Tools and Usages of Information and Communication Technology (ICT).**The basic aim of this workshop was to provide a platform to facilitate discussion on the use and utility of new technology to PDJs in order to help them re-engineer the judicial process. Discussions also highlighted the E-Court project, expectations of the E-Committee of the Supreme Court of India and the Government of India from principal district level judges in court computerization, issues of data entry of National Judicial Data Grid (NJDG), ICT infrastructure, connectivity and security issues.

(iii) **Conference on Court Governance** held from 26th to 28th March, 2016 brought together principal district and sessions judges and non-judicial scholars who share a common interest in administration of courts, to discuss and come out with some unique acceptable and practical solutions to problems faced in court governance by PDJs.

C) CONFERENCE FOR JUDGES PRESIDING OVER SPECIAL COURTS

(i) **Seminar on Application of SC/ST (POA) Act** which was held 11th to 14th February, 2016 provided insights to the presiding officers into the practical framework in the decision making process related to cases under the SC/ST (POA) Act. It also focused on the necessary skills and knowledge needed to identify a situation that is illegal and thereafter fashion a remedy for the same. It dealt mostly on the practical aspects than on theory. The use of hypothetical situations and exercises to identify discrimination and for rendering judgments was appreciated by the participants.

(ii) **Seminar to Assess working of Human Rights Courts in India** was held to provide a forum to presiding officers of human rights courts to discuss the current situation, challenges and advancements relating to the human rights of victims, prisoners, accused persons, general litigants, women and other disadvantaged sections of the society. This seminar held from 10th -13th March, 2016 gave an opportunity to the presiding officers to focus on specific areas from their own perspective and also be apprised the national experience.

D) CONFERENCE FOR THE STATE JUDICIAL ACADEMIES (SJA)- Workshop on Development of Specific Modules for the SJAs held from 22nd – 26th February, 2016 was formulated with the core aim of developing uniform and consistent approach in judicial education on specific subjects throughout the country. As a pre-workshop exercise, the faculty members of the SJAs were asked to design and develop core modules for judicial training on judicial ethics, presiding officers handling commercial matters, IPR and sensitization of magistrates on prevention of cruelty to animals. This workshop therefore, saw the coming together of the faculty members of SJAs who shared their modules which was then discussed and debated upon.

E) CONFERENCES FOR REGISTRAR GENERALS OF HIGH COURTS

During the academic year 2015-16, the two conferences for the Registrar Generals of High Courts on the **Functions of Registrar General** was held from 12th -14th January, 2016 and 8th -10th February, 2016. The first conference concentrated on providing soft skills to the Registrar Generals to increase efficiency and change their outlook towards their work and the second conference held in February 2016 provided inputs on the functions that the Registrar Generals perform in different High Courts keeping in mind the Rules which specify their duties. Discussions on topics like Importance of Leadership, Performance Management, Time Management, Budget Preparation, Public Communication for Image Management, Measures to increase transparency, and accountability in Judicial System, Recording of ACR vis-à-vis Registrar General, etc. received keen participation.

F) CONFERENCES FOR REGISTRARS OF THE HIGH COURTS

(i) Conference on **Functions of Registrar (Inspection)** [24th -26th January, 2016] discussed the challenges faced by the Registrar (Inspection) in light of the increasing work load and different tasks assigned to them. Discussions also centered around supervising PDJ's and DJ's who are given inspection work, ensuring compliance with various reports, attending to the needs of inspection teams, inspecting records, inspecting infrastructure and inspecting land allotments for new courts and inspecting for financial irregularities & residuary functions of Registrar (Inspection) in different High Courts.

(ii) **Conference on Functions of Registrar (Judicial)** highlighted the different functions undertaken by the Registrar (Judicial), discussion further brought to light that the functions performed by these officers are not uniform across the 24 High Courts. Therefore this second conference for Registrar (Judicial) concentrated on finding ways to develop model papers/guidelines on the roles and functions of this branch of the

registry. This Conference held from 1st – 3rd February, 2016 worked to evolve some common areas of functions in order to bring some amount of uniformity.

(iii) **Conference on Registrar (Miscellaneous)** held from 1st to 3rd March 2016 concentrated on the nature of work, functions, duties assigned, the rules and regulations on role, responsibility and accountability and the rules on finance and accounting that govern the Registrars. The participants were made familiar with appropriate management skills to help them perform more effectively their functions.

G) SPECIAL EVENTS

(i) Training of Trainers Workshop to Build Master Trainers on Prevention of Cruelty to Animals Act, 1960: This workshop which was held on 27th & 28th January, 2016 received 62 participants. The objective of this workshop was to sensitize the Magistrates to strike a balance between rights of animals and growing human needs that are encroaching on the space of animals. The topics of discussions were Overview of Animal Welfare Laws in India: Comparison with International Standards, Jurisprudence and Ethics of Animal Welfare, Animal Welfare Legislations, Challenges and Case studies, Landmark Judgments in Animal Welfare, Case Studies and Overview of Animal Welfare Related Case flow in District Courts and Maintenance of Case Property.

(ii) Workshop for High Court Justices from SAARC Countries: This programme was held from 13th to 16thFebruary, 2016 brought together 30 High Court Justices for the first time at the NJA to discuss and acquaint justices from the SAARC countries on the level of development in India on the use of ADR and Court computerization. Discussions were also held on common issues related to dispensation of justice and strengthening of the court system in the region.

(iii) Training Course for Prosecutors of CBI Along with Under Secretaries, Dy. Secretaries, Directors of Department of Personal & Training held from 26th to 30th March, 2016: This five day training course aimed at enhancing the understanding on the basic knowledge about investigation and its defects during the course of trial along with its scope and dimensions, the programme further worked at disseminating the various constitutional principles in order to apprise the participants to develop as better professionals who deal with these aspects. Discussions covered various topics like Leveraging global legislations in conducting effective trials, Psychology behind crimes, Establishing Chain to link circumstances in court of law, Online Investigation, Independent Role of Prosecutors in Criminal Justice System: Accountability and Responsibility among others.

MAJOR ACTIVITIES OF NATIONAL LEGAL SERVICES AUTHORITY (NALSA)

(01-01-2016 to 31-03-2016)

1. During the period from 1st January, 2016 to 31st March, 2016, more than 83864 persons benefited through legal aid services in the country. Out of them, about 7695 persons belonged to the Scheduled Castes, about 7886 to the Scheduled Tribes, about 15081 were women and about 3998 were children.

2. From January, 2016 to March, 2016 more than 43140 LokAdalats were organized in the country. Lakhs of cases including cases pending in the courts as well as those at the pre-litigation stage were settled in these LokAdalats. Since there is no appeal against the award of the LokAdalat, therefore, these many cases have been permanently removed from the formal court system. From February, 2016, National LokAdalats are being held on a specific subject matter every month all over the country.

SOME IMPORTANT VISITS AND MEETINGS
(From 01-01-16 to 31-03-16)

ABROAD:

1. Hon'ble Shri T. S. Thakur, Chief Justice of India visited (a) Kathmandu (Nepal) to attend the 10th SAARC Chief Justices' Conference in tandem with the 13th SAARCLAW Conference on the Theme "Connecting SAARC Through Law, Justice, Good Governanace and Development" during the period from 5th to 6th March, 2016; and (b) Strasbourg (France) for a Judicial Dialogue with the President and Companion Judges of European Court of Human Rights during the period from 22nd to 24th March, 2016.

2. Hon'ble Mr. Justice Anil R. Dave visited Strasbourg (France) for a Judicial Dialogue with the President and Companion Judges of European Court of Human Rights during the period from 22nd to 24th March, 2016.

3. Hon'ble Mr. Justice J. Chelameswar visited Kathmandu (Nepal) to attend the 13th SAARCLAW Conference on the theme "Connecting SAARC through Law, Justice, Good Governance and Development" during the period from 5th to 6th March, 2016.

4. Hon'ble Mr. Justice A. K. Sikri visited (a) Singapore to participate in the Conference on "Doing Business Across Asia: Legal Convergence in an Asian Century" organised by Singapore Academy of Law at Singapore during the period from 21st to 22nd January, 2016; and (b) Tel Aviv, Israel to participate in the 2nd International Convention on the Economy of Innovation organised by the International Association for the Protection of the Intellectual Property (AIPPI), Tel Aviv, Israel from 21st to 22nd March, 2016.

5. Hon'ble Mr. Justice F. M. Ibrahim Kalifulla visited Strasbourg (France) for a Judicial Dialogue with the President and Companion Judges of European Court of Human Rights during the period from 22nd to 24th March, 2016.

6. Hon'ble Mr. Justice S. A. Bobde visited New York (U.S.A.) to attend the open Briefing of the Counter-Terrorism Committee on "The Effective Adjudication of Terrorism Cases" in particular in the panel on "The Judiciaries of South Asia" held at New York on 10th March, 2016.

INLAND

1. Hon'ble Shri T. S. Thakur, Chief Justice of India, visited (a) Kochi (i) to inaugurate the Administrative Block & Library Buildings of the National University of Advanced Legal Studies (NUALS), (ii) to inaugurate newly constructed building of the Kerala Judicial Academy, (iii) to release the souvenir of the Kerala Judicial Academy, and (iv) to attend foundation stone laying ceremony of Bar Council of Kerala – M.K. Nambyar Academy for continuing Legal Education on 16th January, 2016; (b) Patiala to attend the third Convocation of the Rajiv Gandhi National Law University on 30th January, 2016; (c) Visakhapatnam (i) to attend International Fleet Review-2016 and (ii) Presidential Banquet at Eastern Naval Command Officers' Mess on 6th February, 2016; (d) Coimbatore to inaugurate the Regional Centres of the Tamil Nadu State Judicial Academy at Coimbatore & Madurai and the National Conference on 'The March of Law

– The Way Forward' during the period from 20th to 21st February, 2016; (e) Jammu (i) for inauguration of the Lawyers' Chambers at High Court Premises, Jammu and (ii) for inauguration of State Level Two days Workshop on the "Workers in the un-Organized Sector", their aspirations, challenges and way forward at General Zorawar Singh Auditorium University of Jammu on 27th February, 2016; (f) Patna to attend closing ceremony of Patna High Court's Centenary Celebrations on 12th March, 2016; (g) Allahabad to attend the Inaugural Function of Sesquicentennial Celebrations opening of 'The Centre for Information Technology' and opening of the Renovated Allahabad High Court Museum & Airlines and Philately Exhibition on 13th March, 2016 and (h) Lucknow to inauguate the new Building of the High Court of Allahabad, Lucknow Bench, Lucknow on 19th March, 2016.

2. Hon'ble Mr. Justice Anil R. Dave visited (a) Ranchi to attend State Level Colloquium of Jharkhand State Legal Services Authority on 23rd January, 2016; (b) Patiala to attend Third Convocation of the Rajiv Gandhi National University of Law, Punjab on 30th January, 2016; (c) Kolkata to attend Tenth Convocation of the WB National University of Juridical Sciences held on 20th February, 2016; (d) Jammu to attend function of J & K State Legal Services Authority during the period from 27th to 28th February, 2016; (e) Allahabad to attend a High Court function during the period from 12th to 13th March, 2016 and (f) Hyderabad to attend functions of NALSAR University and High Court during the period from 18th to 20th March, 2016.

3. Hon'ble Mr. Justice Jagdish Singh Khehar visited Visakhapatnam to attend various events under the International Fleet Review, 2016 during the period from 6th to 7th February, 2016.

4. Hon'ble Mr. Justice Dipak Misra visited (a) Cuttack (i) as a Chief Guest at Symposium on "Lok Adalat and Legal Aid" organized by Odisha State Legal Services Authority at Odisha Judicial Academy, Cuttack on 17th January, 2016 and (ii) to deliver the inaugural address at National Seminar on "Sentencing & Appreciation of Electronic Evidence" organized by the Odisha Judicial Academy, Cuttack on 13th February, 2016; (b) Ranchi as a Chief Guest at Workshop on "Role of Principal Judges in Family Court Matters" and "Victim Emancipation through Compensation" organized by Jharkhand State Legal Services Authority at Nyaya Sadan, Doranda, Ranchi on 20th February, 2016; (c) Greater Noida (U.P.) to preside the valedictory function of the 'First Prof. N. R. Madhava Menon SAARC Mooting Competition and Law Students Conference, 2016' on 5th March, 2016; (d) Patna (i) to inaugurate new building of Bihar Judicial Academy on 12th March, 2016 and (ii) to attend Felicitation function of High Court Advocates of 50 years standing on 13th March, 2016; and (e) Hyderabad (i) to deliver Key note address in the inaugural session of State Level Judicial Officers Conference of Judicial Officers from the States of Telangana and Andhra Pradesh; (ii) to inaugurate newly constructed security block at High Court premises and (iii) to inaugurate a function of NALSAR University and to delivery Key Note Address at Two day workshop on 'Land Related Legal Services Needs of Poor – Experiences, Expectations and Innovations' at NALSAR University of Law on 19th March, 2016.

5. Hon'ble Mr. Justice J. Chelameswar visited (a) Mulpur Village to attend 100th birthday of Late Justice A Sambasiva Rao, former CJ of AP; (b) Guntur to attend Spoorthi Award Felicitation Function at Vignan Mandiram, Guntur on 19th March, 2016; (c) Hyderabad to attend the Valedeictory Session of the State Level Judicial Officers Conference by the HC of Judicature at Hyderabad for the State of Telangana and the State of Andhra Pradesh on 20th March, 2016 and (d) Kochi to attend the inauguation of New Campus of Kerala Judicial Academy on 16th January, 2016.

6. Hon'ble Mr. Justice F. M. Ibrahim Kalifulla visited (a) Chennai to attend "Regional Conference on Mediation" at Tamil Nadu State Judicial Academy, Chennai on 9th January, 2015; (b) Erode to attend Inauguration of the APC Memorial Lecture Series by The Advocates Assocaition, Erode and to deliver the 1st APC Memorial Lecture Series on the topic: "Legal Profession: Challenges and Prospects & The Art of Advocacy" on 20th February, 2016; (c) Coimbatore to attend Inauguration of the Regional Centres of the Tamil Nadu State Judicial Academy at Coimbatore and Madurai on 21st February, 2016; (d) Jammu (i) to attend inauguration of two days Workshop on the "Workers in the Unorganized Sector – their aspirations, challenges and way forward" organized by J & K State Legal Services Authority in collaboration with Labour Department, Govt. of J & K under the aegis of National Legal Services Authority (ii) to attend inauguration of the Lawyer's Chambers in the High Court Complex at Jammu on 27th February, 2016 and (iii) to chair the session: Social and Economic life of women workers in the bricklins, handicrafts and factories and to attend the valedictory session of Two days workshop on workers in un-organised sector "Their aspirations challenges and way forward" on 28th February, 2016; (e) Patna to attend the closing ceremony of the Centenary Celebrations of the Patna High Court on 12th March, 2016 and (f) Allahabad to attend Sesquicentennial function and inaugural event of the Allahabad High Court on 13th March, 2016.

7. Hon'ble Mr. Justice Madan B. Lokur visited (a) Mumbai to participate in the Regional Consultation on Strengthening Restoration and Rehabilitation of Children under the Juvenile Justice Act organized by the Supreme Court Juvenile Justice Committee and the Bombay High Court Juvenile Justice Committee at Maharashtra Judicial Academy, Uttan during the period from 12th to 13th March, 2016; (b) Hyderabad to address the batch of IPS trainees (Probationers) organized by Sardar Vallabhbhai Patel National Police Academy, Hyderabad on 4th March, 2016; (c) Vijayawada to attend the programme organized by the Bezwada Bar Association on 21st March, 2016; (d) Chennai to attend the 'Regional Conference on Mediation' organized by High Court of Madras & Tamil Nadu Mediation and Conciliation Centre held at Tamil Nadu Judicial Academy, Chennai during the period from 8th to 10th January, 2016; (e) Ranchi to attend the 'Regional Discussion regarding the eCourts Project' organized by the High Court of Jharkhand during the period from 5th to 7th February, 2016; (f) Bhopal to attend the Training Programme for High Court Justices from SAARC countries organized by National Judicial Academy during the period from 12th to 14th February, 2016; and (g) Bengaluru (i) to attend the Regional Consultation on Juvenile Justice Issues during the period from 20th to 21st February, 2016; (ii) to inaugurate the one-day "State Level Workshop on Mediation and Orientation for Mediators" jointly organized by the

Bangalore Mediation Centre and the Karnataka State Legal Services Authority on 27th February, 2016 and (iii) to attend the 'Regional Discussion regarding the eCourts Projects' organized by the High Court of Bangalore during the period from 19th to 20th March, 2016.

8. Hon'ble Mr. Justice M. Y. Eqbal visited Jodhpur to attend meeting of the General Council and to preside over Ninth Convocation of National Law University, Jodhpur during the period from 16th to 17th January, 2016.

9. Hon'ble Mr. Justice V. Gopala Gowda visited (a) Khammam (Telangana) to inaugurate the AILU First State Conference at Khammam on 30th January, 2016; (b) Bengaluru to inaugurate the newly constructed school building at Gyanodaya Convent & High School on 6th February, 2016; (c) Bengaluru to attend cultural programme performed by Folk Artists at Ramanagaram on 13th February, 2016 and to attend Award giving Ceremony to the Folk Artists at Ramanagaram on 14th February, 2016; (d) Kurnool to inaugurate the AILU AP State Conference at Kurnool on 27th February, 2016; (e) Bengaluru as a Chief Guest to attend the inaugural function of the 32nd Bar Council of India Trust All India Inter University Moot Court Competition on 5th March, 2016 and to deliver a special lecture on "Dr. B. R.Ambedkar and Indian Constitution" at Jana Bharati Campus, Bengaluru University on 6th March, 2016, (f) Pune to inaugurate the 6th Justice P.N. Bhagwati International Moot Court Competition on Human Rights on 19th March, 2016; and (g) Karwar (i) to attend a Lecture and Book Release function on 20th March, 2016 and (iii) to attend the 23rd Convocation Function of the Periyar University as the Chief Guest on 26th March, 2016.

10. Hon'ble Mr. Justice Pinaki Chandra Ghose visited Allahabad (i) to attend the National Seminar on "Vedic Concept of Law & Jurisprudence" during the period from 18th to 19th March, 2016; and (ii) to attend the inaugural event of the Sesquicentennial function of the Allahabad High Court during the period from 12th to 13th March, 2016.

11. Hon'ble Mr. Justice Kurian Joseph visited Bhopal to attend the Stress Management Workshop organized by National Judicial Academy, Bhopal during the period from 27th to 28th February, 2016.

12. Hon'ble Mr. Justice A. K. Sikri visited (a) Chandigarh to attend the Founder's Day Celebrations of the Chandigarh Judicial Academy during the period from 9th to 10th January, 2016; (b) Bhopal (i) to attend a Conference organized by the National Judicial Academy during the period from 16th to 17th January, 2016 and (ii) to attend a Workshop for SAARC Judges organized by the National Judicial Academy on 13th February, 2016 and (c) Allahabad to attend the celebration of 150 years of existence of the Allahabad High Court during the period from 12th to 13th March, 2016.

13. Hon'ble Mr. Justice S. A. Bobde visited (a) Bhopal to attend the Advanced Course on Commercial Matters, National Judicial Academy, Bhopal during the period from 15th to 16th January, 2016; (b) Nagpur to attend the "JUSTA CAUSA" Law Festival of Dr. Babasaheb Ambedkar College of Law, Nagpur during the period from 22nd to 25th January, 2016 and (c) Aurangabad to attend Shri V. R. Savant 2nd Memorial Lecture from 5th to 6th February, 2016.

14. Hon'ble Mr. Justice Shiva Kirti Singh visited (a) Patna to attend the closing ceremony of Centenary Celebrations of Patna High Court on 12th March, 2016 and (b) Allahabad to attend the Inaugural Event to mark the Sesquicentennial Ceremony of High Court of Allhabad on 13th March, 2016.

15. Hon'ble Mr. Justice R. K. Agrawal visited (a) Coimbatore to attend the Inaugural Function of the Regional Centres of the Tamil Nadu State Judicial Academy at Coimbatore and Madurai and the National Conference at Regional Centre of Tamil Nadu State Judicial Academy, Coimbatore on 21st February, 2016; (b) Bengaluru to attend Valedictory Function and Prize Distribution Ceremony of the Bar Council of India 32nd All India Inter University Moot Court Competition, 2016 on 7th March, 2016; (c) Allahabad to participate in the Sesquicentennial Celebrations of the Allahabad High Court on 13th March, 2016 and (d) Lucknow to participate in the inauguration of the New Building of the Lucknow Bench of the Allahabad High Court on 19th March, 2016.

16. Hon'ble Mr. Justice N. V. Ramana visited Visakhapatnam to attend International Fleet Review, 2016 during the period from 6th to 7th February, 2016.

17. Hon'ble Mr. Justice A. K. Goel visited (a) Mumbai to attend the International Conference on Science and Jain Philosophy as Chief Guest in the Valedictory Function of the Conference organized by Mahavira International Research Centre, JVBI, Ladnun, Rajasthan in collaboration with Indian Institute of Technology, Bombay and University of Mumbai on 10th January, 2016; (b) Bhopal to attend Conference on Advanced Course on Commercial Matters at National Judicial Academy, Bhopal on 23rd January, 2016; (c) Bhopal to attend the Seminar on Role of Courts and Regulator at NJA, Bhopal on 6th February, 2016; (d) Ranchi to attend Foundation laying ceremony of "Multiutility Juvenile Premises" on 20th February, 2016; (e) Cuttack to attend National Seminar of Odisha Judicial Academy on "Sentencing & Appreciation of Electronic Evidence" on 12th February, 2016; (f) Bhopal to attend the workshop on Stress Management at National Judicial Academy, Bhopal on 28th February, 2016; (g) Bhopal to attend Seminar for High Court Justices on "Sentencing in Criminal Cases at NJA, Bhopal on 6th March, 2016 and (h) Allahabad to attend Allahabad High Court Sesquicentennial function on 12th March, 2016.

18. Hon'ble Mr. Justice Abhay Mahohar Sapre visited (a) Gauhati to inaugurate the Video Conferencing System of the Judicial Academy connecting with the District Courts of Assam followed by Interaction with the Judicial Officers through Video Conferencing on 23rd January, 2016 and (b) Ahmedabad to attend General Council Meeting & 7th Convocation of Gujarat National Law University on 27th February, 2016.

19. Hon'ble Mrs. Justice R. Banumathi visited (a) Chennai to attend the inaugural function of Coimbatore Judicial Academy on 21st February, 2016 and (b) Jaipur to inaugurate National Colloquium on Legal Education in India: Retrospect & Prospects at Mody University, Lakshmangarh, Distt. Sikar, Rajasthan on 28th February, 2016.

20. Hon'ble Mr. Justice Amitava Roy visited Chandigarh to attend the 2nd National Moot Court Competition at University School of Law, Rayat-Bahra University, on 27th March, 2016.

सत्यमेव जयते

The Supreme Court Reports

(WEEKLY)

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