OFFICE OF THE PRINCIPAL DISTRICT & SESSIONS JUDGE(HQs) : DELHI

No. 46038-112 Misc. Gaz/2022/ Dated, Delhi the 06 JUN 2022

Copy forwarded alongwith its enclosures to :-

1. All the Principal District & Sessions Judges, Delhi/New Delhi with the request to send the requisite information to this office at the earliest for onward transmission to the Hon'ble High Court of Delhi, New Delhi.

2. All the Branches Central District, Tis Hazari Courts, Delhi with the request to send the requisite information to this office at the earliest for onward transmission to the Hon'ble High Court of Delhi, New Delhi.

06 JUN 2022

(Mukesh Kumar Gupta)
Additional District & Sessions Judge
Officer In-charge, Judicial Branch (Central)
For Principal District & Sessions Judge (HQs),
Delhi

HIGH COURT OF DELHI

Shershah Road, New Delhi

No. 4071 DHC/Gaz./G-3/2021/

Dated: 10/11/21

From:

The Registrar General,
High Court of Delhi,
New Delhi.

To

The Principal District & Sessions Judge (HQs),
Tis Hazari Courts,
Delhi.

Sub: Regarding request for issuing directions for appropriate changes in official Communications forms and documents to promote women empowerment.

Sir,

I am directed to refer to letter dated 31.03.2021 (copy enclosed) of Ms. Savita Rao, Judge Incharge-Mediation, South District, Saket Courts, Delhi, received vide your office Endst. No. 870/Misc/Gaz./2021 dated 24.06.2021, on the above subject, and to request you to furnish the relevant forms and documents containing father's/husband's name issued to the judicial officers, at the earliest.

Yours Sincerely,

Encl: As above

(Surender Pal)
Deputy Registrar (Gazette-IB)
for Registrar General

O/C

342
01-6-22

HIGH COURT OF DELHI
Shershah Road, New Delhi

No. 3341 /DHC/Gaz./G-3/2022

Dated: 31/5/2022

From:

The Registrar General,
High Court of Delhi,
New Delhi.

596

To

The Principal District & Sessions Judge (HQs),
Tis Hazari Courts,
Delhi.

Sub: Regarding request for issuing directions for appropriate changes in official Communications forms and documents to promote women empowerment.

Sir,

I am directed to refer to this Court's letter no. 4071/DHC/Gaz./G-3/2021 dated 10.11.2021 (copy enclosed), on the above subject, vide which you were requested to furnish the relevant forms and documents containing father's/husband's name issued to the judicial officers, at the earliest. However, the said information has not been received in Gazette-IB Branch till date.

It is therefore, once again requested to kindly furnish the relevant forms and documents containing father's/husband's name issued to the judicial officers, at the earliest.

Yours Sincerely,

Encl: As above

(Surender Pal)
Deputy Registrar (Gazette-IB)
for Registrar General

Judl Br. URGENT
03:50pm.
P. DBS Judl.
01/06/22

[redacted]

HIGH COURT OF DELHI

Shershah Road, New Delhi

No. 4071 DHC/Gaz./G-3/2021/ Dated: 10/11/21

From:

The Registrar General,
High Court of Delhi,
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To

The Principal District & Sessions Judge (HQs),
Tis Hazari Courts,
Delhi.

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Yours Sincerely,

(Surender Pal)
Deputy Registrar (Gazette-IB)
for Registrar General

Encl: As above

O/C

5222-J
01/4/21

No. : 101/21

DELHI MEDIATION CENTRE
1st Floor, Utility Block,
Saket Courts Complex
Saket, New Delhi

Dated: 31.03.2021

To,

The Ld. Principal District & Sessions Judge, H.Q.
Tis Hazari Courts, Delhi

Through: The Ld. Principal District & Sessions Judge, South
Saket courts, Delhi

Respected Sir,

I am in receipt of official communications where there is only the option of providing Father's/Husband's name. The need of current situation in empowering women, treating women with equality and equal rights can be resolved only when the centuries old Indian Patriachial system is dealt with better law and procedure. Today it is immensely needed that woman has freedom to choose between her surname after marriage and also to opt for providing either father's or mother's name and for the children/men to carry their mother's name as well.

India is plagued with many patriachial issues restricting women from making choices and accessing all the opportunities in life. Despite the nod from Delhi Government long ago, (as reported in newspapers), to include the name of mother in all official documents, no option is given in the documents. Women have to use either husband's /father's name and even the men have no option to use the name of their mother, if they want to, instead of father's name, "with no consideration ever in mind" for option to use wife's name. Insistence only for women, to provide father's/husband's name and for children/men to provide only father's name, thereby turns out to be more than identity purpose, reiteration of the patriachial norms of women and children as belongings, which also looks down to alternative family structure.

Giving the mother/wife the same legal standing, in government process as the father/husband, is not just an empty exercise in gender equality.

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The stumbling block however remains in the form of documentation or forms which continue to only allow the father's/husband's name.

Hon'ble Apex court in recent judgment, ralting to permanent commission for women army officers, introduced 'indirect discrimination criterion in Indian jurisprudence to bolster the age old equality and non discrimination touchstance often used by courts and administrative decisions.

As noted, "indirect discrimination' was not to refer to discrinination that was remote, but was, instead, as real as any other form of discrininatio "Indirect discrimination is caused by facially neutral criteria by not taking into consideration the underlying effects of a provision, practice or a criterion". "The doctrine of indirect discrimination is founded on the compelling insight that discrimination can often be a function, not of conscious design or malicious intent, but unconscious/implicit biases or an inability to recognise how existing structures/institutions, and ways of doing things, have the consequence of freezing an unjust status quo. In order to achieve substantive equality prescribed under the Constitution, indirect discrinination, even sans discriminatory intent, must be prohibited".

Judicial institution being the torch bearer for the reforms in society, it is probably high time that we also move away from such outdated thinking i.e. insistence to provide only father's/husband's name. May I request your goodself to consider the abovesaid and issue directions for appropriate changes in correspondence/documents/forms.

Thanking you,

Yours Sincerely

SRaO

(SAVITA RAO)
JUDGE INCHARGE-MEDIATION
SOUTH, SAKET COURTS, DELHI