

—:: कार्यालय प्रधान जिला एवं सत्र न्यायाधीश, उज्जैन (म.प्र.) ::—

पृष्ठां.क्र० 11634 / एक-6-2/11

उज्जैन, दिनांक - नवम्बर, 2024

प्रतिलिपि :-

13 NOV 2024

1. (समस्त अपर सत्र न्यायालय जिला उज्जैन) की ओर माननीय उच्च न्यायालय म0प्र0 जबलपुर द्वारा प्रेषित ज्ञापन क्रमांक ए/7760 दिनांक 07.11.2024 की प्रति मय सहपत्रों के सूचनार्थ एवं इस टीप के साथ पालनार्थ प्रेषित कि ज्ञापन में दिये गये निर्देशानुसार Vulnerable Witnesses के संबंध में दिनांक 01.01.2024 से दिनांक 31.10.2024 तक की वांछित जानकारी निर्धारित संलग्न प्रपत्र पर तैयार कर दिनांक 19.11.2024 तक आवश्यक रूप से तैयार कर प्रेषित करें।
संलग्न : उपरोक्तानुसार



वास्ते / - प्रधान जिला एवं सत्र न्यायाधीश,
उज्जैन (म.प्र.)

HIGH COURT OF MADHYA PRADESH: JABALPUR

No. A/7760

Jabalpur, dt.07/11/2024

To,

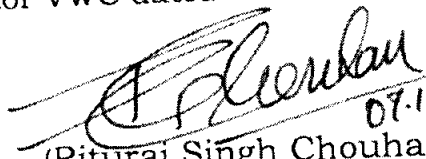
The Principal District and Sessions Judges,
All in the State

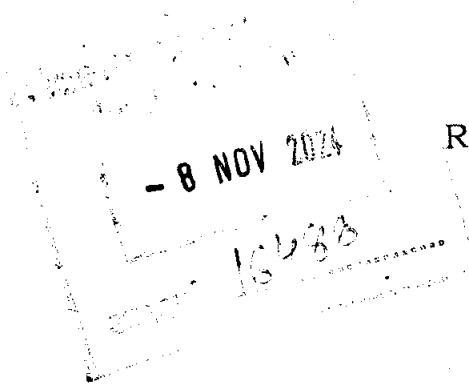
Sub:- Compliance of order of Hon'ble Supreme Court dated 11-01-2022 in the case "Smruti Tukaram Badade V. State of Maharashtra".

Ref.:- Letter of Shri Ajeet Kumar Jha, Director Vulnerable Witness Committee dated 25-10-2024

As directed, on the subject and reference mentioned above, I would like to request you to kindly furnish information regarding Vulnerable Witness in the enclosed proforma for the period for 01-01-2024 to 31-10-2024, in the **Google Sheet** till 21-11-2024.

Encl.:- 1. Letter of Director VWC dated 25-10-2024.
2. Annexure-I.


(Rituraj Singh Chouhan)
Registrar (District Establishment)



S.W
C.A.
08.11.24
J

Audit of cases

From: Ajeet Kumar Jha (director.vwc@gmail.com)

To: rg@allahabadhighcourt.in; reggenaphc@nic.in; rg-bhc@nic.in; rghe_cal@rediffmail.com; rg.dhc@nic.in; rg.cghe@indiancourts.nic.in; rg1.ghc@gmail.com; rg-hc-guj@nic.in; rg.hphc@indiancourts.nic.in; rg.jkhc@indiancourts.nic.in; rgjhc-jhr@nic.in; rgheck.kar@nic.in; rg.kerhc@indiancourts.nic.in; rg.mphc@indiancourts.nic.in; rg.mdrhc@indiancourts.nic.in; regrgenl@nic.in; rg.mnphc@nic.in; highcourtmeghalaya@gmail.com; rg.orihc@indiancourts.nic.in; rg.pathc@indiancourts.nic.in; reggen@aij.gov.in; rg.rajhc@indiancourts.nic.in; rg.sikhc@nic.in; reg.gen-tshc@aij.gov.in; highcourt.agt@indiancourts.nic.in; rg.ukhc@indiancourts.nic.in; rg.trphc@indiancourts.nic.in; reggenmp13@yahoo.com

Date: Friday, October 25, 2024 at 03:50 PM GMT+5:30



Respected Madam/ Sir,

The Supreme Court of India vide its order dated 11.01.2022 in the case "Smruti Tukaram Badade v. State of Maharashtra" has inter alia directed as:

"3. The fairness of the process of trial as well as the pursuit of substantive justice are determined in a significant measure by the manner in which statements of vulnerable witnesses are recorded. The dignity of a person, which is an intrinsic element of Article 21 of the Constitution, cannot be left to the vagaries of insensitive procedures and a hostile environment. Access to justice mandates that positive steps have to be adopted to create a barrier free environment. These barriers are not only those which exist within the physical spaces of conventional courts but those which operate on the minds and personality of vulnerable witnesses. There is a pressing need to facilitate the salutary purpose underlying the creation of a barrier free environment where depositions can be recorded freely without constraining limitations, both physical and emotional. This requires not just the creation of infrastructure but sensitizing all stakeholders.

5. (iii) Every High Court should set up an in-house permanent VWDC Committee for continuously supervising the implementation of the present directions and making a periodic assessment of the number of VWDCs required in each district proportionate to the time required for recording evidence of vulnerable witnesses and to coordinate the conduct of periodic training programmes.

(vii) The High Courts shall ensure that at least one permanent VWDC is set up in every District Court establishment (or additional Sessions Court establishments) within a period of four months. The Registrars General of the High Courts shall file compliance reports before this Court."

In view of the above, the Committee is undertaking an audit of the compliance of the orders dated 11th January 2022 and 8th April 2022 of the Supreme Court of India for which purpose information, from places where VWDC facilities have been created, is urgently required. It should be ensured that the information given is accurate.

about:blank

AO (checkers)

[Signature]
04/11/2024

[Signature]
Registrar General
High Court of M.P.

Jabalpur

25 OCT 2024

Re- (100) 2024 (175)

This information must be made available to this Committee, from courts in all districts where VWDCs have been created, within a month.

Accordingly, I am directed by Justice Gita Mittal, Chairperson, Vulnerable Witness Committee, constituted by the Supreme Court of India by the aforesaid mentioned order to provide the following information in tabulation (as per **Annexure-I**):

1. Name & Designation of the Judge, Jurisdiction and Court
2. Particulars of case involving a vulnerable witness
3. Nature of vulnerability of witness in terms of the order dated 11th January 2022 of Supreme Court of India
4. Evidence recorded on _____
5. Details of VWDC(s) in which evidence was recorded
6. No. of cases decided from _____ to _____ involving the following witnesses

Accordingly, I am directed to request you to provide the desired information within one month through email only.

With regards,
Ajeet Kumar Jha
Director,
Vulnerable Witness Committee



Annexure-I (1).docx
12.3kB

Annexure-I

S. No.	Districts	Particulars of case involving a vulnerable witness	Nature of vulnerability witness in terms of the order dated 11th January 2022 of Supreme Court of India	Evidence recorded on	Details of VWDC in which the Evidence was recorded in	No. of cases decided from 01-01-2024 to 31-10-2024 involving vulnerable witnesses
		1	2	3	4	5