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सत्यमेव जयते

## The Supreme Court Reports

Official Journal  
of Reportable Supreme Court Decisions

2013 Vol. 3 (Part-IV) • 28th March, 2013

### Highlights of the issue

**Issuance of summons in cases where accused are outside territorial jurisdiction of the magistrate, discussed.**

Udai Shankar Awasthi v. State of U.P. ....P-935

**'Consultation' in the context of appointment of Uplokayukta under Karnataka Lokayukta Act, explained.**

Mr. Justice Chandrashekaraiiah (Retd.) v. Janekere C. Krishna ....P-987

**Need to adopt mechanism to avoid inordinate delays in matters pending in courts, emphasized**

Noor Mohammed v. Jethanand ....P-1146

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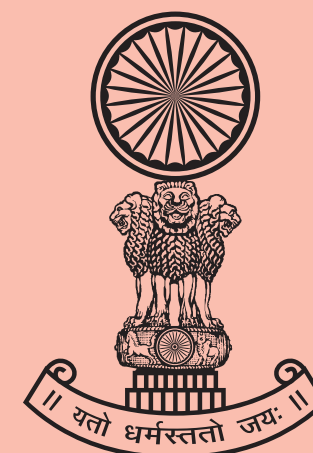
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# COURT NEWS

Vol. VIII Issue No. 2

April - June 2013



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Hon'ble Mr. Justice Dipak Misra, Judge, Supreme Court of India  
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# LIST OF SUPREME COURT JUDGES

(As on 30-06-2013)

| S.No. | Name of the Hon'ble Judge  | Date of Appointment                 | Date of Retirement |
|-------|--|-------------------------------------|--------------------|
| 01.   | Hon'ble Mr. Justice Altamas Kabir,<br>Chief Justice of India (CJI) | 09-09-2005<br>As CJI:<br>29-09-2012 | 19-07-2013         |
| 02.   | Hon'ble Mr. Justice P. Sathasivam                                  | 21-08-2007                          | 27-04-2014         |
| 03.   | Hon'ble Mr. Justice G.S. Singhvi                                   | 12-11-2007                          | 12-12-2013         |
| 04.   | Hon'ble Mr. Justice R.M. Lodha                                     | 17-12-2008                          | 28-09-2014         |
| 05.   | Hon'ble Mr. Justice H.L. Dattu                                     | 17-12-2008                          | 03-12-2015         |
| 06.   | Hon'ble Dr. Justice B.S. Chauhan                                   | 11-05-2009                          | 02-07-2014         |
| 07.   | Hon'ble Mr. Justice A.K. Patnaik                                   | 17-11-2009                          | 03-06-2014         |
| 08.   | Hon'ble Mr. Justice T.S. Thakur                                    | 17-11-2009                          | 04-01-2017         |
| 09.   | Hon'ble Mr. Justice K.S. Radhakrishnan                             | 17-11-2009                          | 15-05-2014         |
| 10.   | Hon'ble Mr. Justice S.S. Nijjar                                    | 17-11-2009                          | 07-06-2014         |
| 11.   | Hon'ble Mr. Justice C.K. Prasad                                    | 08-02-2010                          | 15-07-2014         |
| 12.   | Hon'ble Mr. Justice H.L. Gokhale                                   | 30-04-2010                          | 10-03-2014         |
| 13.   | Hon'ble Mrs. Justice Gyan Sudha Misra                              | 30-04-2010                          | 28-04-2014         |
| 14.   | Hon'ble Mr. Justice Anil R. Dave                                   | 30-04-2010                          | 19-11-2016         |
| 15.   | Hon'ble Mr. Justice S.J. Mukhopadhaya                              | 13-09-2011                          | 15-03-2015         |
| 16.   | Hon'ble Mrs. Justice Ranjana P. Desai                              | 13-09-2011                          | 30-10-2014         |
| 17.   | Hon'ble Mr. Justice J.S. Khehar                                    | 13-09-2011                          | 28-08-2017         |
| 18.   | Hon'ble Mr. Justice Dipak Misra                                    | 10-10-2011                          | 03-10-2018         |
| 19.   | Hon'ble Mr. Justice J. Chelameswar                                 | 10-10-2011                          | 23-06-2018         |
| 20.   | Hon'ble Mr. Justice F.M. Ibrahim Kalifulla                         | 02-04-2012                          | 23-07-2016         |
| 21.   | Hon'ble Mr. Justice Ranjan Gogoi                                   | 23-04-2012                          | 18-11-2019         |
| 22.   | Hon'ble Mr. Justice Madan B. Lokur                                 | 04-06-2012                          | 31-12-2018         |
| 23.   | Hon'ble Mr. Justice M. Yusuf Eqbal                                 | 24-12-2012                          | 13-02-2016         |
| 24.   | Hon'ble Mr. Justice V. Gopala Gowda                                | 24-12-2012                          | 06-10-2016         |
| 25.   | Hon'ble Mr. Justice Vikramajit Sen                                 | 24-12-2012                          | 31-12-2015         |
| 26.   | Hon'ble Mr. Justice Pinaki Chandra Ghose                           | 08-03-2013                          | 28-05-2017         |
| 27.   | Hon'ble Mr. Justice Kurian Joseph                                  | 08-03-2013                          | 30-11-2018         |
| 28.   | Hon'ble Mr. Justice A.K. Sikri                                     | 12-04-2013                          | 07-03-2019         |
| 29.   | Hon'ble Mr. Justice Sharad Arvind Bobde                            | 12-04-2013                          | 24-04-2021         |

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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.*

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**APPOINTMENTS AND RETIREMENTS IN THE  
SUPREME COURT OF INDIA  
(FROM 01-04-2013 TO 30-06-2013)**

**APPOINTMENTS**

| <b>S.No.</b> | <b>Name of Hon'ble Judge</b>            | <b>Date of Appointment</b> |
|--------------|---|----------------------------|
| 1.           | Hon'ble Mr. Justice A.K. Sikri          | 12-04-2013                 |
| 2.           | Hon'ble Mr. Justice Sharad Arvind Bobde | 12-04-2013                 |

**RETIREMENT**

| <b>S.No.</b> | <b>Name of Hon'ble Judge</b>   | <b>Date of Retirement</b> |
|--------------|--------------------------------|---------------------------|
| 1            | Hon'ble Mr. Justice Aftab Alam | 19-04-2013                |

## **APPOINTMENTS IN THE HIGH COURTS**

### **(From 01-04-2013 to 30-06-2013)**

| <b>S.No.</b> | <b>Name of the High Court</b> | <b>Name of the Hon'ble Judge</b>  | <b>Date of Appointment</b> |
|--------------|-------------------------------|-----------------------------------|----------------------------|
| 1            | Allahabad                     | Rakesh Srivastava                 | 12-04-13                   |
|              |                               | S.P. Kesarwani                    | 12-04-13                   |
|              |                               | Vipin Sinha                       | 12-04-13                   |
|              |                               | K.N. Bajpayee                     | 12-04-13                   |
|              |                               | Manoj Kumar Gupta                 | 12-04-13                   |
|              |                               | Anjani Kumar Mishra               | 12-04-13                   |
| 2            | Andhra Pradesh                | A. Rajashekar Reddy               | 08-04-13                   |
|              |                               | Ponugoti Naveen Rao               | 08-04-13                   |
|              |                               | S. Venkatanarayana Bhatti         | 08-04-13                   |
|              |                               | A.V. Sessa Sai                    | 08-04-13                   |
|              |                               | Challa Kondaram Chowdary          | 08-04-13                   |
|              |                               | K.J. Sengupta (As Chief Justice)  | 21.05.13                   |
| 3            | Bombay                        | P.N. Deshmukh                     | 13.05.13                   |
|              |                               | A.I.S. Cheema                     | 13.05.13                   |
|              |                               | S.B. Shukre                       | 13.05.13                   |
|              |                               | S.C. Gupte                        | 21.06.13                   |
|              |                               | Zaka Azizul Haq                   | 21.06.13                   |
|              |                               | K.R. Shriram                      | 21.06.13                   |
|              |                               | Gautam Shirish Patel              | 21.06.13                   |
|              |                               | A.S. Chandurkar                   | 21.06.13                   |
|              |                               | R.P. Mohite Dere                  | 21.06.13                   |
|              |                               | M.S. Sonak                        | 21.06.13                   |
|              |                               | R.V. Ghuge                        | 21.06.13                   |
| 4            | Delhi                         | Jayant Nath                       | 17.04.13                   |
|              |                               | Najmussahar Waziri @ Najmi Waziri | 17.04.13                   |
|              |                               | Sanjeev Sachdeva                  | 17.04.13                   |
|              |                               | Vibhu Bakhru                      | 17.04.13                   |
|              |                               | V. Kameswar Rao                   | 17.04.13                   |
|              |                               | Sunita Gupta                      | 17.04.13                   |
|              |                               | Deepa Sharma                      | 17.04.13                   |
|              |                               | Ved Prakash Vaish                 | 17.04.13                   |
| 5            | Gauhati                       | Nishitendu Chaudhury              | 22.05.13                   |
|              |                               | Lanusungkum Jamir                 | 22.05.13                   |
|              |                               | Manash Ranjan Pathak              | 22.05.13                   |

## **APPOINTMENTS IN THE HIGH COURTS**

### **(From 01-04-2013 to 30-06-2013)**

| S.No. | Name of the High Court | Name of the Hon'ble Judge             | Date of Appointment |
|-------|------------------------|---------------------------------------|---------------------|
| 6     | Gujarat                | A.G. Uraizee                          | 04.05.13            |
|       |                        | K.J. Thaker                           | 04.05.13            |
|       |                        | R.P. Dholaria                         | 04.05.13            |
| 7     | Himachal Pradesh       | A.M. Khanwilkar (As Chief Justice)    | 04.04.13            |
| 8     | Madhya Pradesh         | S.R. Kakade                           | 01.04.13            |
|       |                        | Bhagwan Das Rathi                     | 01.04.13            |
|       |                        | M.K. Mudgal                           | 01.04.13            |
|       |                        | D.K. Paliwal                          | 01.04.13            |
| 9     | Orissa                 | Dr. Akshaya Kumar Rath                | 20.06.13            |
|       |                        | Biswajit Mohanty                      | 20.06.13            |
|       |                        | Dr. Bidyut Ranjan Sarangi             | 20.06.13            |
| 10    | Punjab & Haryana       | Sanjay Kishan Kaul (As Chief Justice) | 01.06.13            |
|       |                        | Dr. Bharat Bhushan Parsoon            | 13.06.13            |
|       |                        | Anita Chaudhary                       | 20.06.13            |
|       |                        | Mahavir Singh Chauhan                 | 20.06.13            |
|       |                        | Fateh Deep Singh                      | 20.06.13            |
|       |                        | Jaspal Singh                          | 20.06.13            |

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

## **TRANSFERS BETWEEN THE HIGH COURTS**

### **(From 01-04-2013 to 30-06-2013)**

| S.No. | From     | To        | Name of the Hon'ble Judge | Date of Transfer |
|-------|----------|-----------|---------------------------|------------------|
| 1     | Calcutta | Rajasthan | K.S. Ahluwalia            | 18-04-13         |

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

## VACANCIES IN THE COURTS

### A) SUPREME COURT OF INDIA (As on 30-06-2013)

| Sanctioned Strength | Working strength | Vacancies |
|---------------------|------------------|-----------|
| 31                  | 29               | 02        |

### B) HIGH COURTS (As on 30-06-2013)

| S.No.        | Name of the High Court | Sanctioned Strength | Working Strength | Vacancies  |
|--------------|------------------------|---------------------|------------------|------------|
| 1            | Allahabad              | 160                 | 87               | 73         |
| 2            | Andhra Pradesh         | 49                  | 33               | 16         |
| 3            | Bombay                 | 75                  | 59               | 16         |
| 4            | Calcutta               | 58                  | 38               | 20         |
| 5            | Chhatisgarh            | 18                  | 10               | 8          |
| 6            | Delhi                  | 48                  | 41               | 7          |
| 7            | Gujarat                | 42                  | 31               | 11         |
| 8(a)         | Gauhati                | 24                  | 17               | 7          |
| 8(b)         | Tripura                | 4                   | 4                | 0          |
| 8(c)         | Meghalaya              | 3                   | 3                | 0          |
| 8(d)         | Manipur                | 4                   | 2                | 2          |
| 9            | Himachal Pradesh       | 11                  | 9                | 2          |
| 10           | Jammu & Kashmir        | 14                  | 11               | 3          |
| 11           | Jharkhand              | 20                  | 11               | 9          |
| 12           | Karnataka              | 50                  | 36               | 14         |
| 13           | Kerala                 | 38                  | 30               | 8          |
| 14           | Madhya Pradesh         | 43                  | 34               | 9          |
| 15           | Madras                 | 60                  | 44               | 16         |
| 16           | Orissa                 | 22                  | 15               | 7          |
| 17           | Patna                  | 43                  | 34               | 9          |
| 18           | Punjab & Haryana       | 68                  | 47               | 21         |
| 19           | Rajasthan              | 40                  | 32               | 8          |
| 20           | Sikkim                 | 3                   | 2                | 1          |
| 21           | Uttarakhand            | 9                   | 8                | 1          |
| <b>TOTAL</b> |                        | <b>906</b>          | <b>638</b>       | <b>268</b> |

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



**C) DISTRICT & SUBORDINATE COURTS (As on 31-03-2013)**

| S.No.        | State / Union Territory  | Sanctioned Strength | Working Strength | Vacancies   |
|--------------|--------------------------|---------------------|------------------|-------------|
| 1            | Uttar Pradesh            | 2101                | 1750             | 351         |
| 2            | Andhra Pradesh           | 840                 | 718              | 122         |
| 3(a)         | Maharashtra              | 2027                | 1789             | 238         |
| 3(b)         | Goa                      | 52                  | 44               | 8           |
| 3(c)         | Diu and Daman & Silvassa | 7                   | 6                | 1           |
| 4(a)         | West Bengal              | 933                 | 831              | 102         |
| 4(b)         | Andaman & Nicobar        | 9                   | 9                | 0           |
| 5            | Chhatisgarh              | 295                 | 252              | 43          |
| 6            | Delhi                    | 778                 | 463              | 315         |
| 7            | Gujarat                  | 1734                | 1103             | 631         |
| 8(a)         | Assam                    | 389                 | 231              | 158         |
| 8(b)         | Nagaland                 | 29                  | 22               | 7           |
| 8(c)         | Meghalaya                | 39                  | 26               | 13          |
| 8(d)         | Manipur                  | 37                  | 30               | 7           |
| 8(e)         | Tripura                  | 92                  | 68               | 24          |
| 8(f)         | Mizoram                  | 62                  | 31               | 31          |
| 8(g)         | Arunachal Pradesh        | 5                   | 2                | 3           |
| 9            | Himachal Pradesh         | 133                 | 125              | 8           |
| 10           | Jammu & Kashmir          | 208                 | 189              | 19          |
| 11           | Jharkhand                | 553                 | 394              | 159         |
| 12           | Karnataka                | 1116                | 741              | 375         |
| 13(a)        | Kerala                   | 420                 | 384              | 36          |
| 13(b)        | Lakshadweep              | 3                   | 1                | 2           |
| 14           | Madhya Pradesh           | 1370                | 1154             | 216         |
| 15(a)        | Tamil Nadu               | 923                 | 891              | 32          |
| 15(b)        | Puducherry               | 21                  | 11               | 10          |
| 16           | Orissa                   | 632                 | 571              | 61          |
| 17           | Bihar                    | 1487                | 915              | 572         |
| 18(a)        | Punjab                   | 531                 | 445              | 86          |
| 18(b)        | Haryana                  | 536                 | 436              | 100         |
| 18(c)        | Chandigarh               | 20                  | 20               | 0           |
| 19           | Rajasthan                | 1090                | 719              | 371         |
| 20           | Sikkim                   | 17                  | 10               | 7           |
| 21           | Uttarakhand              | 265                 | 185              | 80          |
| <b>TOTAL</b> |                          | <b>18754</b>        | <b>14566</b>     | <b>4188</b> |

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



## **INSTITUTION, DISPOSAL AND PENDENCY OF CASES IN THE SUPREME COURT**

**[01-04-2013 to 30-06-2013]**

*i) Table I*

|   |                    |                  |  |                    |                  | <b>Pendency<br/>(At the end of 31-03-2013)</b> |                    |                  |
|---|--------------------|------------------|--|--------------------|------------------|--|--------------------|------------------|
|   |                    |                  |  |                    |                  | Admission<br>matters                           | Regular<br>matters | Total<br>matters |
|   |                    |                  |  |                    |                  | 38,005   | 29,315             | 67,320           |
| <b>Institution<br/>(01-04-2013 to 30-06-2013)</b> |                    |                  | <b>Disposal<br/>(01-04-2013 to 30-06-2013)</b> |                    |                  | <b>Pendency<br/>(At the end of 30-06-2013)</b> |                    |                  |
| Admission<br>matters                              | Regular<br>matters | Total<br>matters | Admission<br>matters                           | Regular<br>matters | Total<br>matters | Admission<br>matters                           | Regular<br>matters | Total<br>matters |
| 14261   | 1290               | 1551             | 11987  | 1438               | 13425            | 40279  | 29167              | 69446            |

Note:

1. Out of the 69,446 pending matters as on 30-06-2013, if connected matters are excluded, the pendency is only of 39,512 matters as on 30-06-2013.
2. Out of the said 69,446 pending matters, 17,346 matters are upto one year old and thus arrears (i.e. cases pending more than a year) are only of 52,100 matters as on 30-06-2013.

*ii) Table II*

|                   | <b>Opening<br/>Balance As<br/>On 01-04-13</b> | <b>Institution<br/>From 01-04-13<br/>To 30-06-13</b> | <b>Disposal<br/>From 01-04-13<br/>To 30-06-13</b> | <b>Pendency<br/>at the end<br/>of 30-06-13</b> |
|-------------------|---|--|---|--|
| CIVIL CASES       | 54953   | 11010  | 9507  | 56456  |
| CRIMINAL CASES    | 12367   | 4541   | 3918  | 12990  |
| ALL CASES (TOTAL) | 67320   | 15551  | 13425   | 69446  |

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

### **A) HIGH COURTS (FROM 01-01-13 TO 31-03-13)**

| S. No. | Name of the High Court | Cases brought forward from the previous Quarter |        |               | Freshly instituted Cases during this Quarter |        |               | Disposed of Cases during this Quarter |        |               | Pending cases at the end of this Quarter |        |               | % of Institution of Cases w.r.t Opening Balance as on 1-1-13 | % of Disposal of Cases w.r.t Opening Balance as on 1-1-13 | % Increase or Decrease in Pendency w.r.t Opening Balance as on 1-1-13 |
|--------|------------------------|---|--------|---------------|--|--------|---------------|---------------------------------------|--------|---------------|--|--------|---------------|--|---|---|
|        |                        | CIVIL   | CRL.   | (CIV. + CRL.) | CIVIL  | CRL.   | (CIV. + CRL.) | CIVIL                                 | CRL.   | (CIV. + CRL.) | CIVIL                                    | CRL.   | (CIV. + CRL.) |  |   |   |
| 1      | Allahabad              | 678946  | 329733 | 1008679       | 35241  | 28759  | 64000         | 32996                                 | 26328  | 59324         | 681191                                   | 332164 | 1013355       | 6.34   | 5.88  | 0.46  |
| 2      | Andhra Pradesh         | 184408  | 25693  | 210101        | 15338  | 4093   | 19431         | 10523                                 | 2941   | 13464         | 189223                                   | 26845  | 216068        | 9.25   | 6.41  | 2.84  |
| 3      | Bombay                 | 293169  | 48800  | 341969        | 29265  | 9365   | 38630         | 30377                                 | 9259   | 39636         | 292057                                   | 48906  | 340963        | 11.30  | 11.59   | -0.29   |
| 4      | Calcutta*              | 265187  | 38055  | 303242        | 19609  | 6804   | 26413         | 16288                                 | 7191   | 23479         | 268508                                   | 37668  | 306176        | 8.71   | 7.74  | 0.97  |
| 5      | Chhatisgarh            | 33947   | 16528  | 50475         | 3298   | 2633   | 5931          | 5582                                  | 2504   | 8086          | 31663                                    | 16657  | 48320         | 11.75  | 16.02   | -4.27   |
| 6      | Delhi                  | 47758   | 14594  | 62352         | 5909   | 3122   | 9031          | 5721                                  | 2933   | 8654          | 47946                                    | 14783  | 62729         | 14.48  | 13.88   | 0.60  |
| 7      | Gujarat                | 46632   | 29377  | 76009         | 8664   | 6642   | 15306         | 9332                                  | 6042   | 15374         | 45964                                    | 29977  | 75941         | 20.14  | 20.23   | -0.09   |
| 8(a)   | Gauhati                | 33400   | 7308   | 40708         | 3978   | 2772   | 6750          | 4460                                  | 3246   | 7706          | 32918                                    | 6834   | 39752         | 16.58  | 18.93   | -2.35   |
| 8(b)   | Meghalaya              | 888   | 102    | 990           | 187  | 77     | 264           | 127                                   | 55     | 182           | 948                                      | 124    | 1072          | 26.67  | 18.38   | 8.28  |
| 8(c)   | Manipur                | 4341  | 59     | 4400          | 529  | 14     | 543           | 730                                   | 11     | 741           | 4140                                     | 62     | 4202          | 12.34  | 16.84   | -4.50   |
| 8(d)   | Tripura                | 5556  | 1219   | 6775          | 531  | 176    | 707           | 667                                   | 196    | 863           | 5420                                     | 1199   | 6619          | 10.44  | 12.74   | -2.30   |
| 9      | Himachal Pradesh       | 50002   | 5595   | 55597         | 7756   | 742    | 8498          | 5062                                  | 518    | 5580          | 52696                                    | 5819   | 58515         | 15.28  | 10.04   | 5.25  |
| 10     | Jammu & Kashmir        | 78127   | 4179   | 82306         | 6614   | 672    | 7286          | 4123                                  | 579    | 4702          | 80618                                    | 4272   | 84890         | 8.85   | 5.71  | 3.14  |
| 11     | Jharkhand              | 31694   | 30263  | 61957         | 2842   | 5878   | 8720          | 1949                                  | 5389   | 7338          | 32587                                    | 30752  | 63339         | 14.07  | 11.84   | 2.23  |
| 12     | Karnataka              | 167080  | 16772  | 183852        | 32537  | 3823   | 36360         | 32197                                 | 3803   | 36000         | 167420                                   | 16792  | 184212        | 19.78  | 19.58   | 0.20  |
| 13     | Kerala                 | 92880   | 31181  | 124061        | 15662  | 5486   | 21148         | 15427                                 | 4844   | 20271         | 93115                                    | 31823  | 124938        | 17.05  | 16.34   | 0.71  |
| 14     | Madhya Pradesh         | 167575  | 80582  | 248157        | 20428  | 12039  | 32467         | 16701                                 | 10301  | 27002         | 171302                                   | 82320  | 253622        | 13.08  | 10.88   | 2.20  |
| 15     | Madras                 | 437069  | 63305  | 500374        | 49828  | 22726  | 72554         | 41580                                 | 17752  | 59332         | 445317                                   | 68279  | 513596        | 14.50  | 11.86   | 2.64  |
| 16     | Orissa                 | 299402  | 33508  | 332910        | 18367  | 11874  | 30241         | 8012                                  | 9973   | 17985         | 309757                                   | 35409  | 345166        | 9.08   | 5.40  | 3.68  |
| 17     | Patna                  | 71940   | 47251  | 119191        | 9702   | 14916  | 24618         | 7923                                  | 13687  | 21610         | 73719                                    | 48480  | 122199        | 20.65  | 18.13   | 2.52  |
| 18     | Punjab & Haryana       | 195815  | 55305  | 251120        | 16347  | 13358  | 29705         | 12658                                 | 13708  | 26366         | 199504                                   | 54955  | 254459        | 11.83  | 10.50   | 1.33  |
| 19     | Rajasthan              | 233046  | 59505  | 292551        | 21969  | 10957  | 32926         | 20671                                 | 9807   | 30478         | 234344                                   | 60655  | 294999        | 11.25  | 10.42   | 0.84  |
| 20     | Sikkim                 | 52  | 11     | 63            | 19   | 10     | 29            | 11                                    | 12     | 23            | 60                                       | 9      | 69            | 46.03  | 36.51   | 9.52  |
| 21     | Uttarakhand            | 13930   | 6257   | 20187         | 2234   | 1954   | 4188          | 1261                                  | 1719   | 2980          | 14903                                    | 6492   | 21395         | 20.75  | 14.76   | 5.98  |
| Total  |                        | 3432844   | 945182 | 4378026       | 326854                                       | 168892 | 495746        | 284378                                | 152798 | 437176        | 3475320                                  | 961276 | 4436596       | 11.32  | 9.99  | 1.34  |

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

\* Opening balance is as on 4/2/2013.

**B) DISTRICT AND SUBORDINATE COURTS (FROM 01-01-13 TO 31-03-13)**

| S. No. | Name of the State / UT | Cases brought forward from the previous Quarter |          |               | Freshly instituted Cases during this Quarter |         |               | Disposed of Cases during this Quarter |         |               | Pending cases at the end of this Quarter |          |               | % of Institution of Cases w.r.t Opening Balance as on 1-1-13 | % of Disposal of Cases w.r.t Opening Balance as on 1-1-13 | % Increase or Decrease in Pending w.r.t Opening Balance as on 1-1-13 |
|--------|------------------------|---|----------|---------------|--|---------|---------------|---------------------------------------|---------|---------------|--|----------|---------------|--|---|--|
|        |                        | CIVIL   | CRL.     | (CIV. + CRL.) | CIVIL  | CRL.    | (CIV. + CRL.) | CIVIL                                 | CRL.    | (CIV. + CRL.) | CIVIL                                    | CRL.     | (CIV. + CRL.) |  |   |  |
| 1      | Uttar Pradesh          | 1391045   | 4401286  | 5792331       | 123449                                       | 471735  | 595184        | 116536                                | 458354  | 574890        | 1397958                                  | 4414667  | 5812625       | 10.28  | 9.93  | 0.35   |
| 2      | Andhra Pradesh         | 455892  | 469051   | 924943        | 62577  | 82727   | 145304        | 62165                                 | 82156   | 144321        | 456304                                   | 469622   | 925926        | 15.71  | 15.60   | 0.11   |
| 3(a)   | Maharashtra            | 1023005   | 1954301  | 2977306       | 102500                                       | 289419  | 391919        | 99798                                 | 342247  | 442045        | 1025707                                  | 1901473  | 2927180       | 13.16  | 14.85   | -1.68  |
| 3(b)   | Goa                    | 18244   | 11887    | 30131         | 3001   | 6443    | 9444          | 2987                                  | 5439    | 8426          | 18258                                    | 12891    | 31149         | 31.34  | 27.96   | 3.38   |
| 3(c)   | Diu and Daman          | 899   | 862      | 1761          | 241  | 387     | 628           | 242                                   | 316     | 558           | 898                                      | 933      | 1831          | 35.66  | 31.69   | 3.98   |
| 3(d)   | Silvassa               | 515   | 2229     | 2744          | 61   | 493     | 554           | 65                                    | 442     | 507           | 511                                      | 2280     | 2791          | 20.19  | 18.48   | 1.71   |
| 4(a)   | West Bengal            | 534627  | 2124187  | 2658814       | 32329  | 230969  | 263298        | 30459                                 | 228191  | 258650        | 536497                                   | 2126965  | 2663462       | 9.90   | 9.73  | 0.17   |
| 4(b)   | Andaman & Nicobar      | 2320  | 9434     | 11754         | 279  | 1466    | 1745          | 220                                   | 1800    | 2020          | 2379                                     | 9100     | 11479         | 14.85  | 17.19   | -2.34  |
| 5      | Chhatisgarh            | 60231   | 212292   | 272523        | 6654   | 31527   | 38181         | 6628                                  | 45043   | 51671         | 60257                                    | 198776   | 259033        | 14.01  | 18.96   | -4.95  |
| 6      | Delhi                  | 142117  | 514470   | 656587        | 25091  | 169554  | 194645        | 24829                                 | 244139  | 268968        | 142379                                   | 439885   | 582264        | 29.64  | 40.96   | -11.32   |
| 7      | Gujarat                | 641120  | 1533571  | 2174691       | 46959  | 228717  | 275676        | 51462                                 | 221087  | 272549        | 636617                                   | 1541201  | 2177818       | 12.68  | 12.53   | 0.14   |
| 8(a)   | Assam                  | 70634   | 182794   | 253428        | 10255  | 50024   | 60279         | 9098                                  | 43055   | 52153         | 71791                                    | 189763   | 261554        | 23.79  | 20.58   | 3.21   |
| 8(b)   | Nagaland               | 1559  | 2027     | 3586          | 264  | 283     | 547           | 327                                   | 304     | 631           | 1496                                     | 2006     | 3502          | 15.25  | 17.60   | -2.34  |
| 8(c)   | Meghalaya              | 2491  | 2198     | 4689          | 138  | 753     | 891           | 714                                   | 162     | 876           | 1915                                     | 2789     | 4704          | 19.00  | 18.68   | 0.32   |
| 8(d)   | Manipur                | 5364  | 8214     | 13578         | 1094   | 2124    | 3218          | 1057                                  | 2305    | 3362          | 5401                                     | 8033     | 13434         | 23.70  | 24.76   | -1.06  |
| 8(e)   | Tripura                | 8402  | 47493    | 55895         | 1990   | 30952   | 32942         | 1963                                  | 32733   | 34696         | 8429                                     | 45712    | 54141         | 58.94  | 62.07   | -3.14  |
| 8(f)   | Mizoram                | 1500  | 2069     | 3569          | 1035   | 1386    | 2421          | 983                                   | 1268    | 2251          | 1552                                     | 2187     | 3739          | 67.83  | 63.07   | 4.76   |
| 8(g)   | Arunachal Pradesh      | 887   | 5313     | 6200          | 301  | 1521    | 1822          | 310                                   | 1499    | 1809          | 878                                      | 5335     | 6213          | 29.39  | 29.18   | 0.21   |
| 9      | Himachal Pradesh       | 79416   | 145147   | 224563        | 14148  | 44504   | 58652         | 13655                                 | 36896   | 50551         | 79909                                    | 152755   | 232664        | 26.12  | 22.51   | 3.61   |
| 10     | Jammu & Kashmir*       | 73678   | 115114   | 188792        | 10769  | 39887   | 50656         | 8981                                  | 41342   | 50323         | 75466                                    | 113659   | 189125        | 26.83  | 26.66   | 0.18   |
| 11     | Jharkhand              | 64216   | 235049   | 299265        | 5385   | 26152   | 31537         | 4618                                  | 29560   | 34178         | 64983                                    | 231641   | 296624        | 10.54  | 11.42   | -0.88  |
| 12     | Karnataka              | 577630  | 561073   | 1138703       | 88819  | 210344  | 299163        | 81574                                 | 198968  | 280542        | 584875                                   | 572449   | 1157324       | 26.27  | 24.64   | 1.64   |
| 13(a)  | Kerala                 | 450988  | 789176   | 1240164       | 72606  | 237578  | 310184        | 118801                                | 204661  | 323462        | 404793                                   | 822093   | 1226886       | 25.01  | 26.08   | -1.07  |
| 13(b)  | Lakshadweep            | 139   | 152      | 291           | 3  | 26      | 29            | 0                                     | 17      | 17            | 142                                      | 161      | 303           | 9.97   | 5.84  | 4.12   |
| 14     | Madhya Pradesh         | 238746  | 852475   | 1091221       | 53292  | 205374  | 258666        | 43365                                 | 199927  | 243292        | 248673                                   | 857922   | 1106595       | 23.70  | 22.30   | 1.41   |
| 15(a)  | Tamil Nadu             | 778636  | 453833   | 1232469       | 260336                                       | 163795  | 424131        | 241268                                | 154879  | 396147        | 797704                                   | 462749   | 1260453       | 34.41  | 32.14   | 2.27   |
| 15(b)  | Puducherry             | 14486   | 14455    | 28941         | 5251   | 3076    | 8327          | 4253                                  | 3123    | 7376          | 15484                                    | 14408    | 29892         | 28.77  | 25.49   | 3.29   |
| 16     | Orissa                 | 227451  | 958312   | 1185763       | 15406  | 69880   | 85286         | 12301                                 | 71985   | 84286         | 230556                                   | 956207   | 1186763       | 7.19   | 7.11  | 0.08   |
| 17     | ** Bihar               | 269623  | 1436581  | 1706204       | 16068  | 84806   | 100874        | 12663                                 | 66206   | 78869         | 273028                                   | 1455159  | 1728187       | 5.91   | 4.62  | 1.29   |
| 18(a)  | Punjab                 | 268445  | 268619   | 537064        | 39859  | 116952  | 156811        | 40968                                 | 130252  | 171220        | 267336                                   | 255319   | 522655        | 29.20  | 31.88   | -2.68  |
| 18(b)  | Haryana                | 249710  | 314575   | 564285        | 46144  | 116566  | 162710        | 43365                                 | 137291  | 180656        | 252489                                   | 293850   | 546339        | 28.83  | 32.02   | -3.18  |
| 18(c)  | Chandigarh             | 22819   | 27136    | 49955         | 2663   | 26654   | 29317         | 3439                                  | 26631   | 30070         | 22043                                    | 27159    | 49202         | 58.69  | 60.19   | -1.51  |
| 19     | Rajasthan              | 415744  | 1030385  | 1446129       | 58118  | 246582  | 304700        | 49735                                 | 240124  | 289859        | 424127                                   | 1036843  | 1460970       | 21.07  | 20.04   | 1.03   |
| 20     | Sikkim                 | 380   | 696      | 1076          | 63   | 324     | 387           | 59                                    | 301     | 360           | 384                                      | 719      | 1103          | 35.97  | 33.46   | 2.51   |
| 21     | Uttarakhand            | 31592   | 132903   | 164495        | 5597   | 44799   | 50396         | 5507                                  | 41761   | 47268         | 31682                                    | 135941   | 167623        | 30.64  | 28.74   | 1.90   |
| Total  |                        | 8124551   | 18819359 | 26943910      | 1112745                                      | 3237779 | 4350524       | 1094395                               | 3294464 | 4388859       | 8142901                                  | 18762652 | 26905553      | 16.15  | 16.29   | -0.14  |

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

\* Opening balance revised by the High Court concerned in view of physical verification.

\*\* Opening balance of criminal cases revised by the High Court concerned. Further 22 Criminal Cases transferred/amalgamated during this quarter.

## **SOME SUPREME COURT JUDGMENTS OF PUBLIC IMPORTANCE (01-04-2013 to 30-06-2013)**

1. On 2nd April, 2013, in the case of Reshma Kumari and Ors. v. Madan Mohan and Anr. [Civil Appeal No. 4646 of 2009], a three Judge Bench examined the question as to whether the multiplier specified in the Second Schedule appended to the Motor Vehicles Act, 1988 should be a guiding factor for the calculation of the amount of the compensation payable in a case falling under Section 166 of the 1988 Act. The Bench held as follows:-
  - (i) "In the applications for compensation made under Section 166 of the 1988 Act in death cases where the age of the deceased is 15 years and above, the Claims Tribunals shall select the multiplier as indicated in Column (4) of the table prepared in Sarla Verma read with para 42 of that judgment."
  - (ii) "In cases where the age of the deceased is upto 15 years, irrespective of the Section 166 or Section 163A under which the claim for compensation has been made, multiplier of 15 and the assessment as indicated in the Second Schedule subject to correction as pointed out in Column (6) of the table in Sarla Verma should be followed."
  - (iii) "While considering the claim applications made under Section 166 in death cases where the age of the deceased is above 15 years, there is no necessity for the Claims Tribunals to seek guidance or for placing reliance on the Second Schedule in the 1988 Act."
  - (iv) "The Claims Tribunals shall follow the steps and guidelines stated in para 19 of Sarla Verma for determination of compensation in cases of death."
  - (v) "While making addition to income for future prospects, the Tribunals shall follow paragraph 24 of the Judgment in Sarla Verma."
  - (vi) Insofar as deduction for personal and living expenses is concerned, "the Tribunals shall ordinarily follow the standards prescribed in paragraphs 30, 31 and 32 of the judgment in Sarla Verma subject to" the observations made in para 38 of this judgment.
2. On 2nd April, 2013, in the case of M/s. Usha Stud and Agricultural Farms Private Limited and others v. State of Haryana and others [Civil Appeal No. 2557 of 2013] a three Judge Bench examined the question as to whether the acquisition of the appellants' land was vitiated due to violation of Sections 5-A and 6(1) of the Land Acquisition Act, 1894 and whether the State Government resorted to discrimination in the matter of release of the acquired land. The Bench held that "Section 5-A(2), which represents statutory embodiment of the rule of audi alteram partem, gives an opportunity to the objector to make an endeavour to convince the Collector that his land is not required for the public purpose specified in the notification issued under Section 4(1) or that there are other valid reasons for not acquiring the same. That section also makes it obligatory for the Collector to submit report(s) to the appropriate

Government containing his recommendations on the objections, together with the record of the proceedings held by him so that the Government may take appropriate decision on the objections." "The State Government is required to apply mind to the report of the Collector and take final decision on the objections filed by the landowners and other interested persons. Then and then only, a declaration can be made under Section 6(1)." In the instant case, the Bench held that "the decision taken at the level of the Chief Minister was not in consonance with the scheme of Section 5-A(2) read with Section 6(1)" and further that the State Government's refusal to release the appellants' land resulted in violation of their right to equality granted under Article 14 of the Constitution. While quashing the declaration issued by the State Government under Section 6(1), the Bench, however, did not preclude the State Government from taking fresh decision after objectively considering the objections filed by the appellants under Section 5-A(1).

3. On 3rd April, 2013, in the case of Ramesh Chandra Shah and others v. Anil Joshi and others [Civil Appeal Nos.2802-2804 of 2013], it was held that "a person who consciously takes part in the process of selection cannot, thereafter, turn around and question the method of selection and its outcome." In the case at hand, the Bench held that "by having taken part in the process of selection with full knowledge that the recruitment was being made under the General Rules, the respondents had waived their right to question the advertisement or the methodology adopted by the Board for making selection and the Single Judge and the Division Bench of the High Court committed grave error by entertaining the grievance made by the respondents." It was held that "by having appeared in the written test and taken a chance to be declared successful, the private respondents will be deemed to have waived their right to challenge the advertisement and the procedure of selection."
4. On 4th April, 2013, in the case of Bhagwati Developers Private Ltd. v. The Peerless General Finance Investment Company Limited & Ors. [Civil Appeal No. 361-362 of 2005], it was held that "a suit filed in representative capacity also represents persons besides the plaintiff, and that an order of withdrawal must not be obtained by such a plaintiff without consulting the category of people that he represents. The court therefore, must not normally grant permission to withdraw unilaterally, rather the plaintiff should be advised to obtain the consent of the other persons in writing, even by way of effecting substituted service by publication, and in the event that no objection is raised, the court may pass such an order. If the court passes such an order of withdrawal, knowing that it is dealing with a suit in a representative capacity, without the persons being represented by the plaintiffs being made aware of the same, the said order would be an unjustified order" and "without jurisdiction."
5. On 8th April, 2013, in the case of Mahadeo (D) through LRs & Ors. v. State of U.P. & Ors. [Civil Appeal No.2944 of 2013], it was held that "once the land is acquired and mandatory requirements are complied with, including possession having been taken, the land vests in the State Government free from all encumbrances. Even if some unutilised land remains, it cannot be re-conveyed or re-assigned to the erstwhile owner by invoking the provisions of the Land Acquisition Act."

In the case at hand, where indisputably, the land in question was acquired by the State Government for the purpose of expansion of city i.e. construction of residential/commercial building under planned development scheme by the Meerut Development Authority and major portion of the land had already been utilized by the Authority, the Bench held that "merely because some land was left at the relevant time, that does not give any right to the Authority to send proposal to the Government for release of the land in favour of the land owners."

6. On 10th April, 2013, in the case of *S. Kesari Hanuman Goud v. Anjum Jehan & Ors.* [Civil Appeal Nos. 2885-2887 of 2005] it was held that "the power of attorney holder cannot depose in place of the principal. Provisions of Order III, Rules 1 and 2 CPC empower the holder of the power of attorney to "act" on behalf of the principal. The word "acts" employed therein is confined only to "acts" done by the power-of-attorney holder, in exercise of the power granted to him by virtue of the instrument. The term "acts", would not include deposing in place and instead of the principal." It was held that "if the power-of-attorney holder has preferred any "acts" in pursuance of the power of attorney, he may depose for the principal in respect of such acts, but he cannot depose for the principal for acts done by the principal, and not by him. Similarly, he cannot depose for the principal in respect of a matter, as regards which, only the principal can have personal knowledge and in respect of which, the principal is entitled to be cross-examined."
7. On 10th April, 2013, in the case of *Aarushi Dhasmana v. Union of India and others* [Writ Petition (Civil) No.232 of 2012] the fate of Saba and Farha, Craniopagus Twins (CTs) fused at the cranium, and their survival, was examined. The Supreme Court had earlier directed the Chief Secretary of the State concerned (Bihar) to make arrangements to bring the CTs to AIIMS, New Delhi by an Air Ambulance. Direction was also given to constitute a medical team to examine them and to take up further follow up action. Arrangements were also made to take their parents along with them at the expenses of the State for their treatment. The parents were, however, not agreeable to that arrangement and only wanted financial assistance to look after the CTs.

The Bench held that though Saba and Farah's parents were against carrying on any investigation as well as surgical operation but, Saba and Farah were now wards of this Court, and thus this Court had "a responsibility to find out whether it is possible to save both and if not, at least one, for which investigations are necessary." However, it was held that "no positive direction can be given in the absence of an expert medical opinion indicating that either of them can be saved due to surgical operation or at least one." Nevertheless considering the facts and circumstances of the case, other necessary directions were given.

8. On 15th April, 2013, in the case of *Centre for Environment Law, WWF-I v. Union of India & Others* [I.A. No. 100 in Writ Petition (Civil) No. 337 of 1995], the necessity of a second home for Asiatic Lion (*Panthera leo persica*), an endangered species, in Kuno Wildlife Sanctuary (in Madhya Pradesh), for its long term survival and to protect the species from extinction, was examined. At present, the Gir forest in the State of Gujarat is the single habitat of Asiatic Lion



in the world. The Bench held that the decision of Ministry of Environment and Forests ('MoEF'), Government of India for re-introduction of Asiatic lion from Gir to Kuno is of "utmost importance so as to preserve the Asiatic lion, an endangered species which cannot be delayed" and that re-introduction of Asiatic lion "should be in accordance with the guidelines issued by IUCN and with the active participation of experts in the field of re-introduction of endangered species. MoEF was therefore "directed to take urgent steps for re-introduction of Asiatic lion from Gir forests to Kuno" and "to constitute an Expert Committee consisting of senior officials of MoEF, Chief Wildlife Wardens of the States of Madhya Pradesh and Gujarat.

9. On 1st May, 2013, in the case of Mahindra Nath Das v. Union of India & Ors. [Criminal Appeal No.677 of 2013], the sentence of death awarded to the appellant (upon his conviction for murder) was commuted into life imprisonment in view of the 12 years delay in disposal of the appellant's mercy petition.
10. On 3rd May, 2013, in the case of Ankush Shivaji Gaikwad v. State of Maharashtra [Criminal Appeal No.689 of 2013], the issue pertaining to award of compensation to victims in criminal cases was dealt with. The Bench held that Section 357, CrPC "confers a power coupled with a duty on the Courts to apply its mind to the question of awarding compensation in every criminal case." It was held that "the power to award compensation was intended to reassure the victim that he or she is not forgotten in the criminal justice system." The Bench held "that unless Section 357 is read to confer an obligation on Courts to apply their mind to the question of compensation, it would defeat the very object behind the introduction of the provision."

"While the award or refusal of compensation in a particular case may be within the Court's discretion, there exists a mandatory duty on the Court to apply its mind to the question in every criminal case. Application of mind to the question is best disclosed by recording reasons for awarding/refusing compensation. It is axiomatic that for any exercise involving application of mind, the Court ought to have the necessary material which it would evaluate to arrive at a fair and reasonable conclusion. It is also beyond dispute that the occasion to consider the question of award of compensation would logically arise only after the court records a conviction of the accused. Capacity of the accused to pay which constitutes an important aspect of any order under Section 357 Cr.P.C. would involve a certain enquiry albeit summary unless of course the facts as emerging in the course of the trial are so clear that the court considers it unnecessary to do so. Such an enquiry can precede an order on sentence to enable the court to take a view, both on the question of sentence and compensation that it may in its wisdom decide to award to the victim or his/her family."

11. On 3rd May, 2013, in the case of Vimal Kanwar & Ors. v. Kishore Dan & Ors. [Civil Appeal No.5513 of 2012], the following three issues were examined: (i) Whether Provident Fund, Pension and Insurance receivable by the claimants come within the periphery of the Motor Vehicles Act to be termed as "Pecuniary Advantage" liable for deduction; (ii) Whether the salary receivable by claimant on compassionate appointment comes within the periphery of



the Motor Vehicles Act to be termed as "Pecuniary Advantage" liable for deduction and (iii) Whether the income tax is liable to be deducted for determination of compensation under the Motor Vehicles Act.

On the first issue, the Bench held that "Provident Fund, Pension, Insurance and similarly any cash, bank balance, shares, fixed deposits, etc. are all "pecuniary advantage" receivable by the heirs on account of one's death but all these have no correlation with the amount receivable under a statute occasioned only on account of accidental death. Such an amount will not come within the periphery of the Motor Vehicles Act to be termed as "pecuniary advantage" liable for deduction. As regards the second issue, it was held that "compassionate appointment may have nexus with the death of an employee while in service but it is not necessary that it should have a correlation with the accidental death. An employee dies in harness even in normal course, due to illness and to maintain the family of the deceased one of the dependents may be entitled for compassionate appointment but that cannot be termed as "Pecuniary Advantage" that comes under the periphery of Motor Vehicles Act and any amount received on such appointment is not liable for deduction for determination of compensation under the Motor Vehicles Act." On the third issue, it was held that "where the annual income is in taxable range, the word "actual salary" should be read as "actual salary less tax" and that "generally the actual income of the deceased less income tax should be the starting point for calculating the compensation."

12. On 6th May, 2013, in the case of G. Sundarajan v. Union of India [Civil Appeal No. 4440 of 2013], it was held that "safety and security of the people and the nation are of paramount importance when a nuclear plant is being set up and it is vital to have in place all safety standards in which public can have full confidence to safeguard them against risks which they fear and to avoid serious long term or irreversible environmental consequences." It was held that the "Court has to respect national nuclear policy of the country reflected in the Atomic Energy Act and the same has to be given effect to for the welfare of the people and the country's economic growth."
13. On 7th May, 2013, in the case of Bank of Maharashtra v. Pandurang Keshav Gorwardkar & Ors. [Civil Appeal No. 7045 of 2005], a three Judge Bench held that "the claims of the workmen who claim to be entitled to payment pari passu have to be considered and adjudicated by the liquidator of the debtor company and not by the DRT (Debt Recovery Tribunal)."
14. On 9th May, 2013, in the case of Nimmagadda Prasad v. Central Bureau of Investigation [Criminal Appeal No.728 of 2013], it was held that "economic offences constitute a class apart and need to be visited with a different approach in the matter of bail." The Bench held that "the economic offence having deep rooted conspiracies and involving huge loss of public funds needs to be viewed seriously and considered as grave offences affecting the economy of the country as a whole and thereby posing serious threat to the financial health of the country."

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15. On 29th May, 2013, in the case of Bhadragiri Venkata Ravi v. Public Prosecutor High Court of A.P., Hyderabad [Criminal Appeal No.248 of 2007] it was held that "in case of plural/multiple dying declarations, the court has to scrutinise the evidence cautiously and must find out whether there is consistency particularly in material particulars therein. In case there are inter-se discrepancies in the depositions of the witnesses given in support of one of the dying declarations, it would not be safe to rely upon the same." The Bench held that "it is not the plurality of the dying declarations but the reliability thereof that adds weigh to the prosecution case." "In case of inconsistencies, the court has to examine the nature of the same, i.e. whether they are material or not and while scrutinising the contents of various dying declarations, the court has to examine the same in the light of the various surrounding facts and circumstances."

## **SOME RECENT MAJOR EVENTS AND THE INITIATIVES (01-04-2013 to 30-06-2013)**

### **I. CHIEF JUSTICES' CONFERENCE - 2013 (APRIL 05-06, 2013)**

#### **MINUTES**

**1. Confirmation of Minutes of Resolutions adopted in Chief Justices' Conference held on August 14th - 15th , 2009.**

Minutes of the Resolutions adopted in the Chief Justices' Conference held on August 14th - 15th, 2009 are read and confirmed.

**2. Progress on implementation of the Resolutions adopted in the previous Chief Justices' Conference held on 14th - 15th August, 2009.**

**A. Morning/Evening Courts functioning under the recommendation of the 13th Finance Commission.**

Action taken Reports furnished by the High Courts and the Department of Justice, Ministry of Law and Justice, Government of India were perused and it was noticed that not much progress had been achieved.

The issue regarding continuation of Morning/Evening Courts was deliberated upon and it was decided that Morning/Evening Courts may continue, subject to the decision to be taken by the High Courts, considering the geographical conditions. The Chief Justices shall take up the matter, wherever required, for increasing the strength of Judges to man these Courts.

**3. Implementation of National Court Management Systems;**

**15. Vision statements of High Courts and District Courts; akin to Five-year plan and annual plans for infrastructure, computerization, citizen centric services, etc.**

#### **RESOLVED**

That

The National Court Management Systems established in the year 2012 to enhance the quality, responsiveness and timeliness of Courts, be implemented on uniform basis.

The High Courts shall constitute sub-Committee on the lines of NCMS at the State level, which may provide inputs and suggestions to the NCMS for formulation and effective implementation of national policy/plan.

#### **RESOLVED**

That

The High Courts shall prepare vision statements for High Court and District Courts keeping in mind the model prepared by the Madhya Pradesh High Court relating to the Five-year and Annual Plans for-

- [i] Infrastructure, computerization and citizen centric services;
- [ii] Human Resources Development (HRD) strategy including recruitment and training of Judges, Court staff and Court Managers;
- [iii] Requirement of Forensic Science Laboratories, including Laboratories for DNA test

centres in each State;

[iv] Setting measurable performance standards;

[v] A system for monitoring and enhancing performance parameters;

[vi] Measures for enhancing user friendliness of the Judicial system;

[vii] Special care be taken for differently abled persons while preparing the construction plan for Court complexes and facilities be provided for them, even in toilets; and

[viii] Competent and adequate officers be appointed for the purpose of investigation and prosecution at the stages, before and after filing of the charge-sheet,

keeping scope for revision in the light of the final suggestion and recommendations that may be approved by the National Court Management Systems.

**4. Creation of new posts of Judicial Officers at all levels along with support staff and requisite infrastructure to narrow down judge-population ratio; and**

**8. Filling up of vacancies at all levels.**

### **RESOLVED**

That

In order to narrow down Judge-population ratio, the Chief Justices will take requisite steps for creation of new posts of Judicial Officers at all levels with support staff and requisite infrastructure in terms of the judgments of the Hon'ble Supreme Court in the cases of All India Judges' Association's case [2002 (4) S.C.C. 247], Brij Mohan Lal vs. Union of India and Ors. [2012 (6) S.C.C. 502] and letter dated 21st February, 2013, written by Hon'ble the Chief Justice of India to Hon'ble the Prime Minister of India, in order to provide effective, efficient and efficacious dispensation of justice.

In the matter of appointment and training of new recruits, the decision rendered by the Supreme Court in the All India Judges' Association case be strictly followed and appropriate amendments be effected to the Recruitment Rules, wherever necessary.

The High Courts may take into account the requirement of staff and infrastructure while preparing the proposals for creating new posts of Judicial Officers.

The Resolutions adopted in the Chief Justices' Conference, 2006, to the effect that "Chief Justices will make recommendations for appointment to High Courts at least six months before the occurrence of vacancy", and Resolution adopted in the Chief Justices' Conference, 2009, to the effect that "The Chief Justices of the High Courts will make recommendations for appointments to High Courts at least six months before the occurrence of vacancy in order to avoid delay in filling up the said vacancy" are reiterated.

**5. Strengthening programmes, curriculum and functioning of National Judicial Academy / State Judicial Academies. Need of research to improve quality of judgments at the levels of subordinate courts and High Courts.**

### **RESOLVED**

That

The National Judicial Academy may devise a module in consultation with a Management Institute of repute to train the faculty of State Judicial Academies, who will impart training to Judicial Officers to enhance their managerial skills.

The High Courts may consider sending Judicial Officers in batches to IIMs for the purpose of imparting training on managerial skills.

6. **Strengthening computerization of the Courts by taking over management and maintenance of hardware and computer peripherals. Promoting e-filing and video conferencing. Provision of Funds from State Governments for computerization.**

**RESOLVED**

That

The Chief Justices shall take steps for implementation of the National Policy prepared by the E-Committee.

The Chief Justices, wherever required, shall take up the matter with the State Governments regarding signing of Memorandum of Understanding on the issue of computerization. Till such time such MoUs are executed, the National Informatics Centre (NIC) shall continue to function.

7. **Creating mechanism to ensure timely proposals for creation, furnishing, maintenance and development of infrastructure of Court buildings and residences; having standard approved building plans for faster clearance of proposals; mechanism for the use of funds received; devising procedure to check quality control while the structures are under construction, etc.**

**RESOLVED**

That

The Chief Justices will take into consideration the "National Judicial Infrastructure Plan", with such modifications as may be required, while taking up the cause with the State Governments, till the Standard Building Plans recommended by NCMS for Court complexes and residential quarters throughout the Country at the Taluk and District levels are approved.

The mechanism created by the Hon'ble Supreme Court in I.A.No.279 of 2010 in Writ Petition (C) No.1022 of 1989 of District and State Committees be made a permanent feature and the Chief Justices of High Courts shall actively utilize the said mechanism for ensuring timely proposals for creation, furnishing, maintenance and development of infrastructure of Court buildings and residences.

Funds being provided by the Central Government for infrastructure, should be released immediately without waiting for contribution from the State government, which may come later on.

The High Courts may consider exploring the possibility of using solar energy in the Court complexes, wherever feasible, in the day time, in addition to, or in lieu of the provision for diesel generator sets or inverters for power back-up.

9. **Norms for revising the strength of Judges in High Courts**

The following Resolutions adopted in the Chief Justices' Conferences 2007 and 2008, are reiterated:

**2007**

3(b) "As far as the issue of increase in the judge strength in the High Courts is concerned, the existing norms should be revised because the increase in judge strength, linked with disposal of cases, does not bring about the desired effect. The increase in the judge-strength in the

High Court should be dependent only upon the pendency of cases as well as the trend of institution of fresh cases in the High Court.

## **2008**

7.(a) The strength of Judges in the High Courts be delinked from disposal, and, fixed on the basis of pendency of cases.

(b) Disposal rate of additional Judges of the High Courts be taken into consideration while appointing them against permanent posts."

The following interim recommendations by NCMS entitled "Proposed Policy on Calculating Requisite Judge-strength for High Courts" for calculating the requirement of number of Judges and submitted to the Hon'ble Chief Justice of India for further taking up the matter with the Central Government are accepted as an interim measure:

"Meanwhile, in view of the extreme shortage of judges and in order to remedy the anomaly of the distinction between permanent and additional judges, NCMS has proposed immediate action for the expansion of High Court judge strength as follows:

- [1] Merge categories of permanent and additional judges with immediate effect in all High Courts;
- [2] Expand the total national sanctioned strength of High Court judges by 25% to be allocated to each High Court based on judge-case ratio as discussed above. The implementation may be completed within a three year period.
- [3] In the next five year period, the strength of High Court judges should be expanded by 50% from the current strength to catch up on the past failure to expand.
- [4] Necessary infrastructure and selection measures should be initiated in a planned way consequent to the above."

The above may be acted upon till NCMS Advisory Committee makes final recommendations on the policy to be adopted for revising the strength of the Judges in the High Courts.

## **10. Delegation of powers by State Governments to Principal District Judges for creation of temporary posts of staff, whenever average pendency in a Court increases.**

### **RESOLVED**

That

The Chief Justices shall request the respective State Governments to delegate the power to create temporary posts of staff to the High Courts whenever average pendency in a subordinate Court increases. The selection for the temporary posts shall be made by the High Court, but the appointments will be made by the Principal District Judges, unless otherwise provided by the Rules.

## **11. Uniformity of nomenclatures of cases.**

### **RESOLVED**

That

It is agreed, in principle, that there should be uniformity of nomenclature of cases to be employed by the High Courts and E-Committee be requested to work out and finalize the modalities and where required, provide the equivalent nomenclature to be included along with the uniform nomenclature.



- 12. Strengthening and popularizing of A.D.R. Systems, Lok Adalat, Mediation and Conciliation.**
- B. The posts of Law Secretary, Legal Remembrancer and Secretary, Legal Services Authority shall be manned by Principal District Judges or District Judges instead of IAS Officers.**

**RESOLVED**

That

A.D.R. mechanism be strengthened for the purpose of optimum utilization by sensitizing and training Judges and advocates. Awareness programmes be conducted regularly which will go a long way in also arresting the backlog of cases in Courts.

State Legal Services Authority shall have the overall control and supervision of the Mediation Centres and the Mediation Monitoring Committees at the High Court level will function in accordance with the directions given by the MCPC.

For the purpose of appointment as a Mediator, an Advocate with five years', instead of ten years' standing, could be considered.

Steps be taken for setting up Mediation centres/A.D.R. Centres at the district level, where they are yet to be set up. Para-legal volunteers in the rural areas, and in particular women, be drawn from the community to man the centres.

Adequate fund for mediation be made available by the State Government.

Permanent posts of various staff in the State Legal Services Authority and the District Legal Services Authority be created by the State Government.

The post of Law Secretary, Legal Remembrancer and Member Secretary of the State Legal Services Authority must be manned by Principal District Judges or District Judges instead of IAS officers and steps be taken with the concerned State Governments to implement the same expeditiously, but preferably within three months from date.

The post of Secretary of District Legal Services Authority be created by the various State Governments at the District level, to be occupied by the judicial officers.

- 13. Fast tracking of matters relating to offences against women, children, differently abled persons, senior citizens and marginalized sections of society.**

**RESOLVED**

That

The Chief Justices will take steps to fast track cases relating to offences against women, children, differently-abled persons, senior citizens and marginalized sections of society, as also giving precedence to these cases in the High Courts on the lines of the decision taken by Hon'ble the Chief Justice of India. Cases relating to Motor Accident Claims be also accorded priority.

The Chief Justices will take requisite steps in terms of the letter dated 5th January, 2013, addressed by Hon'ble the Chief Justice of India, to set up Fast-Track Courts, wherever necessary, to deal exclusively with cases against women.

- 14. Strengthening of Juvenile Justice System.**

The following Resolution adopted in the Chief Justices' Conference, 2009, is reiterated:



"a] The resolution passed to the following effect in the Chief Justices' Conference, 2006, is reiterated:

"That High Courts will impress upon the State Governments to set up Juvenile Justice Board, wherever not set-up. The Chief Justices may nominate a High Court Judge to oversee the condition and functioning of the remand/observation homes established under the Juvenile Justice (Care and Protection of Children) Act, 2000.

b] The Chief Justices of the High Courts will expedite the matter with the respective State Governments for setting up of Juvenile Justice Boards, wherever they have not yet been set up."

In addition, the need to set up Child Welfare Committees in all districts is also emphasized to meet the needs of children in need of care and protection in order to give full effect to the provisions of the above Act.

It was further resolved that Juvenile Justice Committees, as had been set up in the Delhi High Court, under the guidance of the Chief Justice and senior judges and others concerned with the welfare of juveniles and the working of the Juvenile Justice (Care and Protection of Children) Act, 2000, be set up in all the High Courts to monitor the implementation of the provisions of the Act in their true spirit.

It was noticed that the State Governments had not taken serious steps to establish and set-up the various Homes, referred to in the Juvenile Justice (Care and Protection of Children) Act, 2000, as amended in 2006 and the Juvenile Justice (Care and Protection of Children) Rules, 2007. It was noticed that the conditions in the Remand/Observation Homes and Shelter Homes are not up to the standard and a lot of improvement was required to make these facilities meaningful, as envisaged under the above Act and Rules. It was also noticed that After-care Homes for adolescents passing into adulthood and, in particular girls, have not been taken up seriously by the concerned Authorities. The Chief Justices shall take up the matter with the State Governments for improving the conditions of the various Homes, referred to in the above Act and the Rules, and to provide for permanent staff to run the said establishments, as it was reported by some of the Chief Justices that many of the employees of the Homes had been working on an ad-hoc basis, even for as many as fifteen years. The Chief Justices were requested to take up the matter with the State Authorities to ensure that services of such persons, who have been working on ad-hoc basis, are regularized, if necessary, by creation of posts.

Particular notice was taken of the fact that the provisions of the Juvenile Justice (Care and Protection of Children) Act, 2000, had not yet been implemented in the State of Jammu and Kashmir.

Hon'ble the Chief Justice of India is requested to take up the matter at the Joint Conference of Chief Ministers and Chief Justices to be held on April 7, 2013.

**16. Problem regarding sudden closure of Courts or breakdown of work due to the death of a Judge, Bar member or other dignitary.**

**RESOLVED**

That

The High Courts may independently deal with the issue.

**17. Pattern of salaries and emoluments of High Court Judges.****18. Augmenting of post-retiral benefits of Judges.**

Hon'ble the Chief Justice of India is requested to take up the following matters with the concerned authorities.

- [i] Regarding increase in the salary of the Judges of the High Courts so that the salaries of the Judges of the High Courts are higher than that of the Chief Secretaries of the State.
- [ii] Unavailed L.T.Cs. of the Judges of the High Court be carried-forward to the next year, even on retirement.
- [iii] Free units of electricity per month be enhanced from 10,000 units to 20,000 units and amendments be carried out in the High Court Judges Rules, 1956, accordingly.
- [iv] Daily Allowance be increased from Rs.600/- to Rs.2,000/- per day.
- [v] The retirement age of the Judges of the High Courts be enhanced to sixty-five years.
- [vi] As regards post-retiral benefits to the retired Judges of the High Courts, the scheme sanctioned by the State of Andhra Pradesh be adopted and followed in all the States, except where better benefits are already available.
- [vii] Retired High Court Judges and their spouses, during their lifetime, will be entitled to the same medical benefits on the same pattern as are available to sitting High Court Judges.
- [viii] For pensionary benefits, ten years' practice as an advocate be added as a qualifying service, for Judges elevated from the Bar.

Requisite amendment be carried out in the High Court Judges Rules, 1956, with regard to post-retiral benefits as has been done in relation to the retired Judges of the Supreme Court in terms of the amendment carried out by Rule 3B of the Supreme Court Judges Rules, 1959.

**19. Any other Matter with the permission of the Chair.**

A letter written by the former Minister for Law and Justice, Shri Veerappa Moily on 15th March, 2011, regarding the disclosure of sensitive information with regard to some of the Intelligence Organisations to the Government, such as R&AW, was brought to the notice of the Hon'ble Chief Justices, who were requested to act in terms thereof. Among the suggestions was that, where necessary, proceedings could be held in- camera and, in any event, the names of the officers concerned and the information relating to them should not be included in their judgments and should not also be published in the website. The Hon'ble Chief Justices were requested to inform the Members of the Subordinate Judiciary of such directions by way of appropriate circulars.

**II. JOINT CONFERENCE OF THE CHIEF MINISTERS OF THE STATES AND CHIEF JUSTICES OF THE HIGH COURTS [APRIL 7, 2013]: In the Joint Conference, a number of matters were discussed and thereafter decision taken thereupon.****III. MAJOR ACTIVITIES OF NATIONAL LEGAL SERVICES AUTHORITY (NALSA):**

- a) **5TH ANNUAL CONFERENCE OF THE ASIAN CRIMINOLOGICAL SOCIETY (ACS) HELD AT TATA INSTITUTE OF SOCIAL SCIENCES (TISS), MUMABI FROM 14-16 APRIL, 2013:** The theme of the Conference was "Access to Justice for the Marginalised in Asia: A Human rights Perspective". Prof. Arvind Tiwari, Organising Secretary invited Member Secretary, NALSA as a Resource Person in the Panel Discussion - 4 (Session VII) on Day 3

(16.04.2013) on the theme, "Role of Statutory bodies & Human Rights Defenders in evolving effective mechanisms of access & exploring ways to strengthen the existing system in accessing justice".

- b) **11TH ALL INDIA MEET OF THE STATE LEGAL SERVICES AUTHORITIES** : The 11th All India Meet of the State Legal Services Authorities was held at Chennai, Tamil Nadu, on 20th and 21st April, 2013. The Meet was inaugurated by Hon'ble Mr. Justice Altamas Kabir, Chief Justice of India & Patron-in-Chief, National Legal Services Authority in the august presence of Hon'ble Mr. Justice P.Sathasivam, Judge, Supreme Court of India & Executive Chairman, National Legal Services Authority. Hon'ble Executive Chairpersons and Member Secretaries of the State Legal Services Authorities participated in the meet. In the 11th All India Meet of the State Legal Services Authorities, the National Plan of Action 2013-14 was discussed. The highlights of the National Plan of Action for the financial year 2013-14 are as under:
- 1) Encourage SLSAs to adopt one project each for focused implementation;
  - 2) Emphasis on quality legal assistance under the NALSA's (Free and Competent Legal Services) Regulations, 2010 and strengthening the selection process and training and sensitization of panel lawyers;
  - 3) Strengthening of the Para-Legal Volunteers Scheme through enhanced training, mentoring and monitoring;
  - 4) Encouraging legal aid clinics particularly in Colleges, Universities and other institutions and building networks between the District Legal Services Authorities and such Legal Aid Clinics;
  - 5) Encourage ADR methods of LokAdalat, Mediation, Conciliation and Plea-bargaining;
  - 6) Establishing greater coordination with Jails, Correctional Homes, Children's Homes, Observation Homes, Psychiatric Homes, Boarding Schools, Protective homes, etc to ensure that legal rights of these categories are not lost on account of lack of information and lack of assistance and support to enforce those rights;
  - 7) Emphasis on visibility by participation in Melas/Exhibitions, Street-Plays, Radio programmes and T. V. shows etc.
- c) **Indian Visit of Hon'ble Lady Justice LombeChibesakunda Chief Justice of Zambia and the delegation from 25-28 April, 2013**: On the occasion of the visit of the Hon'ble Lady Justice LombeChibesakunda, Chief Justice of Zambia and Delegation to India between 25-28 April, 2013, a video-conference was organized between the foreign dignitaries and the State Legal Services Authorities in the presence of the Hon'ble Patron-in-Chief of NALSA and the Hon'ble Executive Chairman, NALSA. The delegation also visited the Juvenile Justice Board, Kingsway Camp, Mediation Centre at Supreme Court, Child Witness Room, Karkardooma Court, Delhi High Court Arbitration Centre and Delhi High Court Mediation Centre.
- d) **State Level Seminar on "Women Empowerment: Role of Legal Services" on 11th May, 2013 at Jaipur**: Hon'ble Mr. Justice P.Sathasivam, Executive Chairman, NALSA delivered an address on "Women Empowerment: Role of Legal Services" organized by Rajasthan State Legal Services Authority on 11th May, 2013 at Jaipur.
- e) **Conference on "Making Legal Aid and Justice for Women From Investigation to Decision a Reality through a Sensitized Judiciary" held on 18.05.2013 at Lucknow**: Hon'ble Mr. Justice P.Sathasivam, Executive Chairman, NALSA delivered the address in the

Conference on "Making Legal Aid and Justice for Women from Investigation to decision a reality, through a sensitized judiciary" organized by the U.P. SLSA on 18.05.2013.

- f) **"Students Legal Literacy Mission" Annual Function held on 19.05.2013 at Om Shanti Retreat Center (OSRC) at Gurgaon:** The Haryana State Legal Services Authority in collaboration with Education Department, Haryana organized the "Student Legal Literacy Mission" Annual Function. Hon'ble Mr. Justice P.Sathasivam, Judge, Supreme Court of India & Executive Chairman, was the Chief Guest, while the inauguration was done by Hon'ble Mr. Bhupinder Singh Hooda, Chief Minister, Haryana.
- g) **Mega Literacy Camp at Chithakar, Kollam on 02.06.2013:** Hon'ble Mr. Justice P.Sathasivam, Executive Chairman, NALSA delivered the address in the Mega Legal Literacy Camp at Chithara, Kottam in association with the District Legal Services Authority, Kollam, Taluk Legal Services Committee, Kottarakaa and Chithara Gram Panchayat on 02.06.2013.
- h) **Seminar on "Strengthening Legal Aid and Education for Marginal Communities and those Most-at-Risk of HIV/AIDS" at Hyderabad:** A Seminar on "Strengthening Legal Aid and Education for Marginal Communities and those Most-at Risk of HIV/AIDS" was organized by the Andhra Pradesh State Legal Services Authority under the aegis of NALSA in co-ordination with Centre for Advocacy and Research on 22/6/2013 at Hyderabad. The Seminar was inaugurated by Hon'ble Mr. Justice P.Sathasivam, Judge, Supreme Court of India & Executive Chairman, NALSA.
- i) **Research Project on Socio-Economic Profiling of Death Row Prisoners in India:** In the light of the provisions of Section 4(g), Legal Services Authorities Act, 1987, NALSA has undertaken a Research Project on Socio-Economic Profiling of Death Row Prisoners in India in Collaboration with National Law University, Delhi in phased manner.

#### IV. MAJOR ACTIVITIES OF NATIONAL JUDICIAL ACADEMY (NJA):

- a) **National Conference of Judges of the District Judiciary on Enforcement of Judicial Orders: Issues and Concerns, April 12-14:** This Conference for the Judges of the District Judiciary was conceptualized keeping in mind the problems they encounter in the execution of judicial orders which lead to great obstacles in the proper administration and delivery of justice particularly in civil matters. Twenty-eight judges came together to identify the issues and concerns in this area and to share their experiences in this regard. A judicial perspective and understanding of the illegal, irregular and in-executable decrees were also enumerated by the resource persons. The other topics that received primary attention were Enforcement of Court Orders; Arrest and Detention in Civil Prison; Attachment and sale of property, Hurdles in delivery of immovable property through the process of the court, Garnishee orders and Precepts, Reducing the delays in execution of the decrees & Compliance of interlocutory orders; Challenges in effective Execution of the orders in Matrimonial Cases and Enforcement of Maintenance orders.
- b) **National Conference of the Presiding Officers on SC/ST (POA) Act, April 19-21, 2013:** Twenty-three Presiding Officers who attended the programme made a presentation on the challenges faced by the Courts in proper implementation of SC/ST (POA) Act. With the guidance of eminent resource persons various challenges facing the judiciary and measures that may be taken to improve the system were identified. The participants were encouraged to share best practice and experience across states. Furthermore, the programme also addressed the functioning of these courts, analyzed the social and political

genesis of the disadvantaged in the Indian context, atrocities against SC/ST and the SC/ST (POA) Act, access to courts for victims, measures to help them avail legal aid and provide legal awareness. The various processes involved in providing timely justice to those who approach the Courts under this particular Act were discussed at length.

- c) **National Conference of High Court Judges on the Contribution of the High Courts and the Supreme Court on the Development of Criminal Law and Human Rights: April 20-21, 2013:** This Conference attended by 16 High Court Judges was guided by Hon'ble Justices, Justice Dipak Misra, Judge, Supreme Court of India; Justice AK Sikri, Judge, Supreme Court of India; Justice AK Ganguly, Chairperson, West Bengal Human Rights Commission, Dr. BT Kaul, Prof. Faculty of Law, Delhi University; Mr. Ravi Nair, Executive Director, SAHRDC and Prof.(Dr.) Balram K. Gupta, Sr. Advocate, Director, National Judicial Academy. The eminent resource persons gave their valued inputs on the presentation made by the participant judges on the contribution made by their respective High Courts and the Supreme Court during the past few years in developing human rights jurisprudence in the country.
- d) **Interaction with the Hon'ble Chief Justice of Sri Lanka, Mr. Justice Mohan Peiris:**  
A meeting was held in New Delhi on May 27, 2013. It was attended by Mr. Justice Mohan Peiris, Hon'ble Chief Justice of Sri Lanka; Mr. Justice Altamas Kabir, Hon'ble Chief Justice of India, and the Director, National Judicial Academy, Prof.(Dr.) Balram K. Gupta. During the hour long meeting, details with regard to programmes for Sri Lankan Judges were discussed. It was tentatively decided to have two programmes at the NJA Campus and one programme in Colombo.
- e) **National Conference of the Presiding Officers of Labour Courts / Tribunals, May 3-5, 2013:** The main objective of this conference was to identify the problem areas in labour justice administration and to look for effective strategies and solutions. It further provided an opportunity to the Presiding Officers to share the difficulties which they encounter while adjudicating labour and industrial disputes. The conference was structured to cover important areas of Industrial relations and the changing trends in labour and industrial adjudication in the backdrop of LPG (Liberalization, Privatization and Globalization.)
- f) **National Conference of State Judicial Academies on Training the Trainers (May 10-12, 2013):** The Training of Trainers conference brought together faculty members of the State Judicial Academies to learn about innovative pedagogical techniques and develop new methods for delivering the national curriculum that has been developed at NJA. The open discussion on faculty-related challenges faced by the State Judicial Academies was followed by a presentation by Prof. G. Mohan Gopal, Director, RGICS on understanding faculty-related needs of the State Judicial Academies. Included in the discussions was the framework for faculty need assessment at SJAs.
- g) **Annual Calendar Meeting (May 16, 2013):** The deliberations of the Calendar Meeting 2013-14 was chaired by Hon'ble the Chief Justice of India, Mr. Justice Altamas Kabir and co-chaired by Hon'ble Mr. Justice P. Sathasivam, Judge, Supreme Court of India. The meeting received participation from Chief Justices of the High Courts of Calcutta, Gauhati, Sikkim and Manipur, Acting Chief Justices of the High Courts of Andhra Pradesh and Madhya Pradesh, Senior Judges representing various High Courts, Judges in Charge of Judicial Education and Directors/representatives of the State Judicial Academies.
- h) **Court Excellence Enhancement Programmes (CEEP 2):** The strength and effective



functioning of the judicial system is dependent not only on the presiding officer of a court but also on the cooperation and coordination among other duty holders in the legal system. Thereby to bring about some positive changes in the system, the participation of these duty holders is imperative for that process. Based on this premise, NJA had initiated the Court Excellence Enhancement Programme which brought together all the duty holders of a Court under one roof during the academic year 2011-12, wherein they worked together to develop a comprehensive framework for enhancing the excellence of the Court they represented. After the successful completion of CEEP 1, involving hundred courts from across the country, the programme continued in the current academic year of 2012-13 as "CEEP - Progress Review Programme". CEEP 2 involved identifying the current challenges, suggesting corrective actions to strengthen implementation of CEEP and above all updating the CEEP Action Plan for enhancing Court performance. The respective CJM courts and the stakeholders of CEEP 1 for the period April - May, reviewed the outcome of the implementation of the action plans developed by them during the previous year. They further developed a management framework for coordinated action to improve court performance

- i) **Interaction with the Chief Justice of Maldives, Hon'ble Mr. Justice Ahmed Faiz Hussain (June 11, 2013):** The Chief Justice of Maldives, Hon'ble Mr. Justice Ahmed Faiz Hussain along with the a team consisting of Mr. Ibrahim Ahmed Manik, Chief Judicial Administrator and Mr. Abdulla Ali, Director, Department of Judicial Administration visited National Judicial Academy June 11, 2013 to work out the modalities of having the Judges from Maldives train and interact at National Judicial Academy.

## **SOME IMPORTANT VISITS AND CONFERENCES**

### **(From 01-04-13 to 30-06-13)**

#### **FOREIGN DELEGATIONS TO SUPREME COURT**

1. Meeting of Hon'ble the Chief Justice of India with Zambian Delegation led by Hon'ble Lady Justice Lombe Chibesakunda, Chief Justice of Supreme Court of Republic of Zambia on 26-4-2013 in the Judges Lounge, Supreme Court Premises.
2. Meeting of Hon'ble the Chief Justice of India with Maldivian Delegation led by Hon'ble Mr. Ahmed Faiz Hussain, Chief Justice of Maldives on 10-6-2013 in the Judges Lounge, Supreme Court Premises.
3. Meeting of Hon'ble the Chief Justice of India with Bangladeshi Delegation led by Hon'ble Mr. Justice Surendra Kumar Sinha, Chairman, Bangladesh Judicial Services Commission and Senior Most sitting Judge of the Appellate Division of the Supreme Court of Bangladesh on 24-6-2013 in the Judges Lounge, Supreme Court premises.

#### **ABROAD**

1. Hon'ble Shri Altamas Kabir, CJI visited Thimphu (Bhutan) to participate in the 9<sup>th</sup> SAARC Chief Justices' Conference and the 12<sup>th</sup> Annual SAARCLAW Conference from May 24-25, 2013.
2. Hon'ble Mr. Justice J. Chelameswar visited Dallas to attend 19<sup>th</sup> Convention of TANA (Telugu Association of North America) at Dallas Convention Centre, Dallas, Texas from May 24-26, 2013.
3. Hon'ble Mr. Justice Madan B. Lokur visited a) Islamabad (Pakistan) to participate in the International Judicial Conference organized by the Law and Justice Commission of Pakistan under the auspices of National Judicial (Policy Making) Committee from April 19-21, 2013 and b) Bhutan to discuss the issues pertaining to Justice delivery on the invitation of His Majesty the King Jigme Khesar Namgyel Wangchuck, King of Bhutan as a Royal Guest to the Kingdom of Bhutan from April 27-29, 2013.
4. Hon'ble Mr. Justice A. K. Sikri visited Hague, Netherlands to attend the Joint UNCITRAL/INSOL International/World Bank Multinational Judicial Colloquium on Insolvency from May 18-19, 2013 and the INSOL International Quadrennial Congress from May 20-22, 2013.

#### **INLAND**

1. Hon'ble Shri Altamas Kabir, CJI visited a) Bengaluru to attend a programme arranged by the State Legal Services Authority, Karnataka State on 14<sup>th</sup> April, 2013; b) Pindwara (Rajasthan) to attend a function arranged by the High Court of Rajasthan on 19<sup>th</sup> April, 2013; c) Chennai to attend the National Meet of NALSA during the period from 20<sup>th</sup> to 21<sup>st</sup> April, 2013; d) Bhopal to attend the Annual Calendar Meeting of NJA for next Year, during the period from 15<sup>th</sup> to 16<sup>th</sup> May, 2013; e) Bagdogra and Gangtok to attend NALSA Programmes during the period from 1<sup>st</sup> to 2<sup>nd</sup> June, 2013; f) Srinagar to attend function organised by State Judicial Academy and attended another function arranged by University of Kashmir, during the period from 16<sup>th</sup> to 17<sup>th</sup> June, 2013 and g) Kolkata to attend ILI Chapter Launching Website of ILI Chapter of Kolkata, attended 150<sup>th</sup> Anniversary of Sir Aashutosh Mukherjee and also participated in a programme by Ramakrishna Mission, Kolkata during the period from 26<sup>th</sup> to 30<sup>th</sup> June, 2013.



2. Hon'ble Shri P. Sathasivam visited a) Chennai to participate in the 11<sup>th</sup> All India Meet of State Legal Services Authorities organized by NALSFA at Chennai on 20<sup>th</sup> and 21<sup>st</sup> April, 2013; b) Jaipur to participate in the State Level Conference organized by the Rajasthan State Legal Services Authority at Jaipur on 11<sup>th</sup> May, 2013; c) Bhopal to participate in the meeting at NJA Campus in connection with the Academic Calendar for the year 2013-14 on 16<sup>th</sup> May, 2013; d) Lucknow to inaugurate the Newly Constructed Women Hostel at Judicial Training & Research Institute, Lucknow and to inaugurate of the Conference on "Making Legal Aid and Justice for Women from Investigation to Decision a Reality, through A Sensitized Judiciary" at Lucknow on 18<sup>th</sup> May, 2013; e) Gurgaon to participate in the "Students Legal Literacy Mission" Annual Function organized by the Haryana State Legal Services Authority and Education Department, Haryana at 'Om Shanti Retreat Centre', Gurgaon on 19<sup>th</sup> May, 2013; f) Chithara, Kerala for Inauguration of Megal Legal Literacy Camp at Chithara organized by Kerala State Legal Services Authority on 2<sup>nd</sup> June, 2013; g) Coimbatore (Tamil Nadu) to inaugurate the Founder's Day Oration of Ganga Hospital at Coimbatore on 14<sup>th</sup> June, 2013; and (iii) to address the Judicial Officers in the cadre of District Judges and Chief Judicial Magistrates in T. N. State Judicial Academy on 15<sup>th</sup> June, 2013; h) Hyderabad (i) to participate in the Seminar on "Strengthening Legal Aid and Education for Marginal Communities and those most at risk of HIV/AIDS" organized by the National Legal Services Authority, A.P. Legal Services Authority and Centre for Advocacy & Research, (ii) to participate in the Lok Adalat organized by the High Court Legal Services Committee, (iii) Participate in the Programme at A. P. Judicial Academy on 22<sup>nd</sup> June, 2013 and i) Chandigarh to address the newly joined Judicial Officers of the State of Punjab & Haryana at Chandigarh Judicial Academy on 29<sup>th</sup> June, 2013.
3. Hon'ble Mr. Justice H. L. Dattu visited Bengaluru to participate in inaugural Function of Arbitration Centre – Karnataka (Domestic & International) – Initiative of High Court of Karnataka at Khanija Bhavan, Race Course Road, Bengaluru on 14<sup>th</sup> April, 2013.
4. Hon'ble Dr. Justice B. S. Chauhan visited a) Lucknow (i) to attend function in Lucknow University on 13<sup>th</sup> April, 2013 and (ii) to attend function at U. P. State Legal Services Authority and on the inauguration of the building at Judicial Training Institute on 18<sup>th</sup> May, 2013; b) Shimla to attend Regional Judicial Conference during the period from 31<sup>st</sup> May to 2<sup>nd</sup> June, 2013 and c) Guwahati to deliver lecture at Assam Judicial Academy, Guwahati on 11<sup>th</sup> June, 2013.
5. Hon'ble Mr. Justice A. K. Patnaik visited a) Chandigarh to attend function of Rama Krishna Mission Ashram, Chandigarh on 7<sup>th</sup> April, 2013; b) Chennai to attend Inaugural Session of National Legal Services Authority at Hotel ITC Grand Chola, No.63, Anna Salai, Guindy, Chennai – 32 on 20<sup>th</sup> April, 2013 and c) Cuttack (i) to attend Foundation Day Celebrations of Sai International School at Bhubaneswar on 13<sup>th</sup> April, 2013; (ii) to attend function of Odisha Political Science Association at the Christ College, Cuttack on 4<sup>th</sup> May, 2013 and (iii) to attend Seminar on Corporate Social Responsibility at Hotel Dwarka, Cuttack on 30<sup>th</sup> June, 2013.
6. Hon'ble Mr. Justice T. S. Thakur visited a) Kurukshetra to inaugurate the newly constructed I.I.T./PMT/NDA Training Centre and Administrative Block on 27<sup>th</sup> April, 2013 and b) Srinagar to attend the programme organised by State Judicial Academy and Jammu and Kashmir Legal Services Authority during the period from 15<sup>th</sup> to 18<sup>th</sup> June, 2013.
7. Hon'ble Mr. Justice K. S. Radhakrishnan visited Bengaluru to attend the "Regional Judicial

Conference on Administration of Criminal Justice: Issues and Challenges” (South Zone) held by National Judicial Academy, Bhopal during the period from 14<sup>th</sup> to 16<sup>th</sup> June, 2013.

8. Hon'ble Mr. Justice Surinder Singh Nijjar visited a) Daudhar, District Moga, Punjab to inaugurate the Rokko Cancer Babeka Hospital on 19<sup>th</sup> April, 2013 and b) Kolkata to attend the Valedictory part of the Sesquicentennial Celebration of the Calcutta High Court during the period from 3<sup>rd</sup> to 6<sup>th</sup> May, 2013.
9. Hon'ble Mrs. Justice Gyan Sudha Misra visited a) Allahabad to attend a Symposium on “Dimension and Challenges towards reform in Administration of Criminal Justice System” as a Special Guest organized by Pt. Kanhaiya Lal Misra Memorial Committee on 13<sup>th</sup> April, 2013 and b) Kolkata to attend the Sesquicentennial Celebration of Calcutta High Court during the period from 3<sup>th</sup> to 5<sup>th</sup> May, 2013.
10. Hon'ble Mrs. Justice Ranjana Prakash Desai visited Mumbai to attend the State Lawyers Conference organized by the Bar Council of Maharashtra & Goa held at Dr. Kashinath Ghanekar Auditorium, Thane during the period from 13<sup>th</sup> to 14<sup>th</sup> April, 2013.
11. Hon'ble Mr. Justice J. Chelameswar visited Kakinada to inaugurate the Seminar on “The Role of Judiciary and Advocates in Justice Delivery System & Implementation of existing Laws relating to offences against Women & Children” organized by the Bar Council of the State of Andhra Pradesh & The Bar Association, Kakinada at Surya Kalamandiram, Kakinada on 27<sup>th</sup> April, 2013.
12. Hon'ble Mr. Justice F. M. Ibrahim Kalifulla visited a) Chennai, Tamil Nadu (i) to attend National Legal Services Authority's “Eleventh All India Meet of State Legal Services Authorities” at Hotel ITC Grand Chola, 63, Anna Salai, Guindy, Chennai – 32 on 20<sup>th</sup> April, 2013 and (ii) to attend the Special Programme on effective District Administration and Court Management by the Tamil Nadu State Judicial Academy, Chennai and addressed the Judicial Officers in the Cadre of District Judges and Chief Judicial Magistrates on the topic Felicitation by Hon'ble Mr. Justice F. M. I. Kalifulla on 15<sup>th</sup> June, 2013.
13. Hon'ble Mr. Justice Madan B. Lokur visited a) Brahmpur for Discussion Programme and also visited Mediation Centre on 13<sup>th</sup> April, 2013 and Puri for Discussion Programme and also visited Mediation Centre on 14<sup>th</sup> April, 2013; b) Jamshedpur for interaction with Mediators and Referral Judges and office bearers of Bar Association and attended meeting with Principal Magistrate, Members of Juvenile Justice Board & Members of Child Welfare Committee during the period from 11<sup>th</sup> to 12<sup>th</sup> May, 2013 and c) Imphal to inaugurate the 3 Days Advocacy Skill Training programme for the young lawyers organized by the Manipur State Legal Services Authority in collaboration with the IILPD at the High Court of Manipur Complex at Imphal during the period from 28<sup>th</sup> to 29<sup>th</sup> June, 2013.
14. Hon'ble Mr. Justice Vikramajit Sen visited Bengaluru to participate in the Inaugural Function of Arbitration Centre – Karnataka (Domestic & International) on 14<sup>th</sup> April, 2013.
15. Hon'ble Mr. Justice A. K. Sikri visited a) Bhopal to attend the Conference during the period from 19<sup>th</sup> to 21<sup>st</sup> April, 2013 and b) Gurgaon to attend National Convention of Jurists on Spiritual Prudence for peace and Happiness on 11<sup>th</sup> May, 2013.