



COURT NEWS

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EDITORIAL BOARD

Hon'ble Mr. Justice Sharad Arvind Bobde, Judge, Supreme Court of India
Hon'ble Mr. Justice Adarsh Kumar Goel, Judge, Supreme Court of India
Hon'ble Mr. Justice Amitava Roy, Judge, Supreme Court of India

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LIST OF SUPREME COURT JUDGES

(As on 30-06-2017)

S.No.	Name of the Hon'ble Judge	Date of Appointment	Date of Retirement
01.	Hon'ble Mr. Justice J.S. Khehar, Chief Justice of India	13-09-2011 As CJI: 04-01-2017	28-08-2017
02.	Hon'ble Mr. Justice Dipak Misra	10-10-2011	03-10-2018
03.	Hon'ble Mr. Justice J. Chelameswar	10-10-2011	23-06-2018
04.	Hon'ble Mr. Justice Ranjan Gogoi	23-04-2012	18-11-2019
05.	Hon'ble Mr. Justice Madan B. Lokur	04-06-2012	31-12-2018
06.	Hon'ble Mr. Justice Kurian Joseph	08-03-2013	30-11-2018
07.	Hon'ble Mr. Justice A.K. Sikri	12-04-2013	07-03-2019
08.	Hon'ble Mr. Justice Sharad Arvind Bobde	12-04-2013	24-04-2021
09.	Hon'ble Mr. Justice R.K. Agrawal	17-02-2014	05-05-2018
10.	Hon'ble Mr. Justice N.V. Ramana	17-02-2014	27-08-2022
11.	Hon'ble Mr. Justice Arun Mishra	07-07-2014	03-09-2020
12.	Hon'ble Mr. Justice Adarsh Kumar Goel	07-07-2014	07-07-2018
13.	Hon'ble Mr. Justice R.F. Nariman	07-07-2014	13-08-2021
14.	Hon'ble Mr. Justice Abhay Manohar Sapre	13-08-2014	28-08-2019
15.	Hon'ble Mrs. Justice R. Banumathi	13-08-2014	20-07-2020
16.	Hon'ble Mr. Justice Prafulla C. Pant	13-08-2014	30-08-2017
17.	Hon'ble Mr. Justice Uday U. Lalit	13-08-2014	09-11-2022
18.	Hon'ble Mr. Justice Amitava Roy	27-02-2015	01-03-2018
19.	Hon'ble Mr. Justice A.M. Khanwilkar	13-05-2016	30-07-2022
20.	Hon'ble Dr. Justice D.Y. Chandrachud	13-05-2016	11-11-2024
21.	Hon'ble Mr. Justice Ashok Bhushan	13-05-2016	05-07-2021
22.	Hon'ble Mr. Justice L. Nageswara Rao	13-05-2016	08-06-2022
23.	Hon'ble Mr. Justice Sanjay Kishan Kaul	17-02-2017	26-12-2023
24.	Hon'ble Mr. Justice Mohan M. Shantanagoudar	17-02-2017	05-05-2023
25.	Hon'ble Mr. Justice S. Abdul Nazeer	17-02-2017	05-01-2023
26.	Hon'ble Mr. Justice Navin Sinha	17-02-2017	19-08-2021
27.	Hon'ble Mr. Justice Deepak Gupta	17-02-2017	07-05-2020

CONTENTS

Appointments and Retirements in the Supreme Court of India.....	2
Appointments in the High Courts	3 - 4
Vacancies in the Courts.....	5 - 6
Institution, Disposal and Pendency of Cases in the Supreme Court.....	7
Institution, Disposal and Pendency of Cases in the High Courts	8
Institution, Disposal and Pendency of Cases in the District and Subordinate Courts	9
Some Supreme Court Judgments / Orders of Public Importance.....	10 - 19
Major activities of National Judicial Academy.....	20 - 21
Major activities of National Legal Services Authority.....	22 - 24
Some Major events.....	25
Foreign delegations in Supreme Court.....	25
Some Important Visits and Conferences	26 - 28

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

**APPOINTMENTS AND RETIREMENTS
IN THE SUPREME COURT OF INDIA
(FROM 01-04-2017 TO 30-06-2017)**

RETIREMENT

Name of the Hon'ble Judge	Date of Retirement
Hon'ble Mr. Justice Pinaki Chandra Ghose	28-05-2017

APPOINTMENTS IN THE HIGH COURTS (FROM 01-04-2017 TO 30-06-2017)

S.No.	Name of the High Court	Name of the Hon'ble Judge	Date of Appointment
1	Bombay	Sandeep K. Shinde	05-06-17
		Rohit Baban Deo	05-06-17
		Bharati H. Dangre	05-06-17
		Sarang V. Kotwal	05-06-17
		Riyaz I. Chagla	05-06-17
		Manish Pitale	05-06-17
		S.K. Kotwal	05-06-17
		A.D. Upadhye	05-06-17
		Mangesh S. Patil	05-06-17
		A.M. Dhavale	05-06-17
		P.K. Chavan	05-06-17
		M.G. Giratkar	05-06-17
		V.V. Kankanwadi	05-06-17
		S.M. Gavhane	05-06-17
2	Chhattisgarh	Sharad Kumar Gupta	27-06-17
		Ram Prasanna Sharma	27-06-17
		Arvind Singh Chandel	27-06-17
3	Delhi	Rekha Palli	15-05-17
		Prathiba M. Singh	15-05-17
		Navin Chawla	15-05-17
		C. Hari Shankar	15-05-17
4	Gauhati	Hitesh Kumar Sarma	19-05-17
		Mir Alfaz Ali	19-05-17
5	Jammu & Kashmir	B.D. Ahmed (As Chief Justice)	01-04-17
		Sanjeev Kumar	06-06-17
		Maharaj Krishan Hanjura	06-06-17
		Sanjay Kumar Gupta	06-06-17
6	Jharkhand	Bimlendu Bhushan Mangalmurti	20-05-17
		Anil Kumar Choudhary	20-05-17

7	Madras	Indira Banerjee (As Chief Justice)	05-04-17
		V. Bhavani Subbaroyan	28-06-17
		A.D. Jagadish Chandira	28-06-17
		G.R. Swaminathan	28-06-17
		Abdul Quddhose	28-06-17
		M. Dhandapani	28-06-17
		P.D.Audikesavalu	28-06-17
8	Patna	Anil Kumar Upadhyay	22-05-17
		Rajeev Ranjan Prasad	22-05-17
		Sanjay Kumar	22-05-17
		Madhuresh Prasad	22-05-17
		Mohit Kumar Shah	22-05-17
		Prakash Chandra Jaiswal	22-05-17
9	Punjab & Haryana	Raj Shekhar Attri	28-06-17
		Gurvinder Singh Gill	28-06-17
10	Rajasthan	Pradeep Nandarajog (As Chief Justice)	02-04-17
		Ashok Kumar Gaur	16-05-17
		Manoj Kumar Garg	16-05-17
		Inderjeet Singh	16-05-17
		Dr. Virendra Kumar Mathur	16-05-17
		Ramchandra Singh Jhala	16-05-17
11	Sikkim	Bhaskar Raj Pradhan	23-05-17
12	Uttarakhand	Lok Pal Singh	19-05-17
		Manoj Kumar Tiwari	19-05-17
		Sharad Kumar Sharma	19-05-17

VACANCIES IN THE COURTS

A) SUPREME COURT OF INDIA (As on 30-06-2017)

Sanctioned Strength	Working strength	Vacancies
31	27	04

B) HIGH COURTS (As on 30-06-2017)

S.No.	Name of the High Court	Sanctioned Strength	Working Strength	Vacancies
1	Allahabad	160	83	77
2	Hyderabad (A.P & Telangana)	61	27	34
3	Bombay	94	74	20
4	Calcutta	72	34	38
5	Chhatisgarh	22	14	8
6	Delhi	60	38	22
7	Gujarat	52	31	21
8	Gauhati	24	19	5
9	Himachal Pradesh	13	8	5
10	Jammu & Kashmir	17	12	5
11	Jharkhand	25	14	11
12	Karnataka	62	29	33
13	Kerala	47	36	11
14	Madhya Pradesh	53	36	17
15	Madras	75	54	21
16	Manipur	5	3	2
17	Meghalaya	4	3	1
18	Orissa	27	19	8
19	Patna	53	35	18
20	Punjab & Haryana	85	48	37
21	Rajasthan	50	37	13
22	Sikkim	3	3	0
23	Tripura	4	2	2
24	Uttarakhand	11	10	1
Total		1079	669	410

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

C) DISTRICT & SUBORDINATE COURTS (As on 30-06-2017)

S.No.	State/ Union Territory	Sanctioned Strength	Working Strength	Vacancies
1	Uttar Pradesh	3191	1891	1300
2	Andhra Pradesh & Telangana	980	888	92
3(a)	Maharashtra	2260	2203	57
3(b)	Goa	57	45	12
3(c)	Diu and Daman	4	3	1
3(d)	Silvassa	3	3	0
4	West Bengal and Andaman & Nicobar	1013	912	101
5	Chhatisgarh	396	348	48
6	Delhi	799	486	313
7	Gujarat	1508	1113	395
8(a)	Assam	425	304	121
8(b)	Nagaland	34	24	10
8(c)	Mizoram	63	30	33
8(d)	Arunachal Pradesh	28	17	11
9	Himachal Pradesh	155	149	6
10	Jammu & Kashmir	248	214	34
11	Jharkhand	671	439	232
12	Karnataka	1302	985	317
13(a)	Kerala	533	453	80
13(b)	Lakshadweep	3	2	1
14	Madhya Pradesh	2021	1298	723
15	Manipur	48	34	14
16	Meghalaya	91	41	50
17(a)	Tamil Nadu	1087	926	161
17(b)	Puducherry	26	13	13
18	Odisha	862	589	273
19	Bihar	1825	1022	803
20(a)	Punjab	674	539	135
20(b)	Haryana	644	498	146
20(c)	Chandigarh	30	30	0
21	Rajasthan	1219	1146	73
22	Sikkim	23	13	10
23	Tripura	107	74	33
24	Uttarakhand	291	216	75
TOTAL		22621	16948	5673

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

INSTITUTION, DISPOSAL AND PENDENCY OF CASES IN THE SUPREME COURT [01-04-2017 to 30-06-2017]

i) Table I

						Pendency (At the end of 31-03-2017)		
						Admission matters	Regular matters	Total matters
						34,307	27,037	61,344
Institution (01-04-2017 to 30-06-2017)			Disposal (01-04-2017 to 30-06-2017)			Pendency (At the end of 30-06-2017)		
Admission matters	Regular matters	Total matters	Admission matters	Regular matters	Total matters	Admission matters	Regular matters	Total matters
7,465	794	8,259	9,076	1,362	10,438	32,696	26,469	59,165

Note:

1. Out of the 59,165 pending matters as on 30-06-2017, if connected matters are excluded, the pendency is only of 29,463 matters as on 30-06-2017.
2. Out of the said 59,165 pending matters as on 30-06-2017, 11,454 matters are upto one year old and thus arrears (i.e. cases pending more than a year) are only of 47,711 matters as on 30-06-2017.

ii) Table II

	OPENING BALANCE AS ON 01-04-17	INSTITUTION FROM 01-04-17 TO 30-06-17	DISPOSAL FROM 01-04-17 TO 30-06-17	PENDENCY AT THE END OF 30-06-17
CIVIL CASES	51,048	5,999	8,159	48,888
CRIMINAL CASES	10,296	2,260	2,279	10,277
ALL CASES (TOTAL)	61,344	8,259	10,438	59,165

INSTITUTION, DISPOSAL AND PENDENCY OF CASES IN THE HIGH COURTS (FROM 01-04-2017 TO 30-06-2017)

Srl. No.	Name of the High Court	Cases brought forward from the previous Quarter (Nos.) (As on 1/04/2017)(Civil/Crl.)			Freshly instituted Cases (Nos.) during this Quarter (Apr- June 2017) (Civil/Crl.)			Disposed of Cases (Nos.) during this quarter (Apr- June 2017) (Civil/Crl.)			Pending Cases (Nos.) at the end of this Quarter (Apr -Jun 2017) (As on 30/06/2017) (Civil/Crl.)			% of Institution of Cases w.r.t Opening Balance as on 1/04/2017	% of Disposal of Cases w.r.t Opening Balance as on 1/04/2017	% Increase or Decrease in Pendency w.r.t Opening Balance as on 1/04/2017
		CIVIL	CRL.	(Civ + Crl.)	CIVIL	CRL.	(Civ + Crl.)	CIVIL	CRL.	(Civ + Crl.)	CIVIL	CRL.	(Civ + Crl.)			
1	Allahabad	546449	366186	912635	29521	38133	67654	31102	34457	65559	544868	369862	914730	7.41	7.18	0.23
2	Hyderabad (A.P & Telangana)	255106	42540	297646	15020	3821	18841	9650	2415	12065	260476	43946	304422	6.33	4.05	2.28
3	Bombay	212244	52064	264308	20165	5609	25774	16654	4958	21612	215755	52715	268470	9.75	8.18	1.57
4	Calcutta	181843	38414	220257	11727	4506	16233	11068	3290	14358	182502	39630	222132	7.37	6.52	0.85
5	Chhatisgarh	35614	21115	56729	4200	3695	7895	3283	2691	5974	36531	22119	58650	13.92	10.53	3.39
6	Delhi	49110	17989	67099	5424	3212	8636	4656	2737	7393	49878	18464	68342	12.87	11.02	1.85
7	Gujarat#	78525	31023	109548	12186	10963	23149	9287	9140	18427	81424	32846	114270	21.13	16.82	4.31
8	Gauhati	24295	5471	29766	3630	668	4298	4381	453	4834	23544	5686	29230	14.44	16.24	-1.80
9	Himachal Pradesh	24187	5613	29800	4997	1134	6131	4328	1094	5422	24856	5653	30509	20.57	18.19	2.38
10	Jammu & Kashmir	54279	5733	60012	3236	539	3775	2673	454	3127	54842	5818	60660	6.29	5.21	1.08
11	Jharkhand	44803	41999	86802	2721	6328	9049	1721	5815	7536	45803	42512	88315	10.42	8.68	1.74
12	Karnataka	258656	25479	284135	31687	4888	36575	24235	3487	27722	266108	26880	292988	12.87	9.76	3.12
13	Kerala	130016	38361	168377	15844	5431	21275	11442	5363	16805	134418	38429	172847	12.64	9.98	2.65
14	Madhya Pradesh	181749	109486	291235	15220	16195	31415	13379	13811	27190	183590	111870	295460	10.79	9.34	1.45
15	Madras	262215	35365	297580	21779	12807	34586	18079	12534	30613	265915	35638	301553	11.62	10.29	1.34
16	Manipur	3146	113	3259	412	52	464	374	8	382	3184	157	3341	14.24	11.72	2.52
17	Meghalaya	652	31	683	188	21	209	155	20	175	685	32	717	30.60	25.62	4.98
18	Orissa#	127226	42884	170110	8968	9708	18676	8412	8520	16932	127782	44072	171854	10.98	9.95	1.03
19	Patna	83041	54743	137784	7240	17793	25033	4961	13219	18180	85320	59317	144637	18.17	13.19	4.97
20	Punjab & Haryana	214370	95383	309753	16387	14703	31090	11663	10057	21720	219094	100029	319123	10.04	7.01	3.02
21	Rajasthan	183064	69998	253062	15545	12459	28004	12618	10589	23207	185991	71868	257859	11.07	9.17	1.90
22	Sikkim	139	47	186	35	26	61	48	28	76	126	45	171	32.80	40.86	-8.06
23	Tripura	2258	411	2669	528	128	656	717	117	834	2069	422	2491	24.58	31.25	-6.67
24	Uttarakhand	22537	9653	32190	3259	1956	5215	4091	2217	6308	21705	9392	31097	16.20	19.60	-3.40
	TOTAL	2975524	1110101	4085625	249919	174775	424694	208977	147474	356451	3016466	1137402	4153868	10.39	8.72	1.67

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

Figures modified by the High Court concerned.

INSTITUTION, DISPOSAL AND PENDENCY OF CASES IN THE DISTRICT & SUBORDINATE COURTS (FROM 01-04-2017 TO 30-06-2017)

Srl. No	Name of the State/UT	Cases brought forward from the previous Quarter (Nos.) (As on 01/04/2017) (Civil/Crl.)			Freshly instituted Cases (Nos.) during this Quarter (Apr-Jun 2017) (Civil/Crl.)			Disposed of Cases (Nos.) during this Quarter (Apr-June 2017) (Civil/Crl.)			Pending Cases (Nos.) at the end of this Quarter (Apr-Jun 2017) (As on 30/6/2017) (Civil/Crl.)			% of Institution of Cases w.r.t Opening Balance as on 01/4/17	% of Disposal of Cases w.r.t Opening Balance as on 01/4/17	% Increase or Decrease in Pendency w.r.t Opening Balance as on 01/4/17
		CIVIL	CRL.	(Civ + Crl.)	CIVIL	CRL.	(Civ + Crl.)	CIVIL	CRL.	(Civ + Crl.)	CIVIL	CRL.	(Civ + Crl.)			
1	Uttar Pradesh	1518484	4591549	6110033	105777	764695	870472	86667	656900	743567	1537594	4699344	6236938	14.25	12.17	2.08
2	Andhra Pradesh & Telangana	511172	556240	1067412	53980	99626	153606	47479	94953	142432	517673	560913	1078586	14.39	13.34	1.05
3(a)	Maharashtra	1126241	2159508	3285749	90714	460194	550908	79217	403989	483206	1137738	2215713	3353451	16.77	14.71	2.06
3(b)	Goa	25334	17177	42511	2317	4814	7131	2399	4508	6907	25252	17483	42735	16.77	16.25	0.53
3(c)	Diu and Daman	880	829	1709	153	281	434	154	295	449	879	815	1694	25.39	26.27	-0.88
3(d)	Silvassa	1466	2144	3610	61	186	247	66	233	299	1461	2097	3558	6.84	8.28	-1.44
4(a)	West Bengal	563173	2194925	2758098	42838	266678	309516	91525	789365	880890	514486	1672238	2186724	11.22	31.94	-20.72
4(b)	Andaman & Nicobar	3590	5768	9358	194	1347	1541	109	1242	1351	3675	5873	9548	16.47	14.44	2.03
5	Chhatisgarh	63363	217426	280789	5667	35263	40930	5635	32025	37660	63395	220664	284059	14.58	13.41	1.16
6	Delhi	175533	491956	667489	29195	155328	184523	27403	135196	162599	177325	512088	689413	27.64	24.36	3.28
7	Gujarat	534267	1226511	1760778	43843	237188	281031	54085	267057	321142	524025	1196642	1720667	15.96	18.24	-2.28
8(a)	Assam	68734	201368	270102	9206	65392	74598	9676	66987	76663	68264	199773	268037	27.62	28.38	-0.76
8(b)	Nagaland	1706	2763	4469	281	725	1006	93	536	629	1894	2952	4846	22.51	14.07	8.44
8(c)	Mizoram	2190	2807	4997	1504	1849	3353	1492	1907	3399	2202	2749	4951	67.10	68.02	-0.92
8(d)	Arunachal Pradesh	2953	11245	14198	846	1006	1852	709	4792	5501	3090	7459	10549	13.04	38.74	-25.70
9	Himachal Pradesh	103052	139010	242062	17087	59994	77081	14639	58021	72660	105500	140983	246483	31.84	30.02	1.83
10	Jammu & Kashmir	49875	97251	147126	8151	20239	28390	7442	16967	24409	50584	100523	151107	19.30	16.59	2.71
11	Jharkhand#	62115	276728	338843	5152	37392	42544	6057	33045	39102	61210	281075	342285	12.56	11.54	1.02
12	Karnataka	704991	670301	1375292	64103	205053	269156	55169	183327	238496	713925	692027	1405952	19.57	17.34	2.23
13(a)	Kerala	397289	1112402	1509691	56707	222324	279031	44971	176015	220986	409025	1158711	1567736	18.48	14.64	3.84
13(b)	Lakshadweep	156	190	346	8	4	12	27	6	33	137	188	325	3.47	9.54	-6.07
14	Madhya Pradesh	287920	986078	1273998	61910	312527	374437	53524	274941	328465	296306	1023664	1319970	29.39	25.78	3.61
15	Manipur	3607	3393	7000	442	510	952	512	629	1141	3537	3274	6811	13.60	16.30	-2.70
16	Meghalaya	3364	11575	14939	560	2283	2843	275	2207	2482	3649	11651	15300	19.03	16.61	2.42
17(a)	Tamil Nadu#	613138	452224	1065362	75487	174511	249998	65876	165758	231634	622814	460977	1083791	23.47	21.74	1.73
17(b)	Puducherry	13323	14211	27534	1928	2122	4050	1845	1842	3687	13406	14491	27897	14.71	13.39	1.32
18	Odisha	276328	792832	1069160	15576	78878	94454	10421	68393	78814	281483	803317	1084800	8.83	7.37	1.46
19	Bihar	340418	1798962	2139380	19102	98637	117739	18124	72998	91122	341396	1824601	2165997	5.50	4.26	1.24
20(a)	Punjab	245584	271219	516803	41625	131115	172740	36621	105161	141782	250588	297173	547761	33.42	27.43	5.99
20(b)	Haryana	248466	333036	581502	34447	109317	143764	30927	86630	117557	251986	355723	607709	24.72	20.22	4.51
20(c)	Chandigarh	16004	24498	40502	2895	21371	24266	2459	14872	17331	16440	30997	47437	59.91	42.79	17.12
21	Rajasthan	475580	1111296	1586876	56384	324526	380910	57971	304514	362485	473993	1131308	1605301	24.00	22.84	1.16
22	Sikkim	433	980	1413	223	402	625	207	415	622	449	967	1416	44.23	44.02	0.21
23	Tripura	10074	135122	145196	2454	28616	31070	2764	31270	34034	9764	132468	142232	21.40	23.44	-2.04
24	Uttarakhand	32770	166518	199288	6605	68153	74758	6121	58424	64545	33254	176247	209501	37.51	32.39	5.12
TOTAL		8483573	20080042	28563615	857422	3992546	4849968	822661	4115420	4938081	8518399	19957168	28475567	16.98	17.29	-0.31

Figures modified by the High Court concerned.

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

SOME SUPREME COURT JUDGMENTS / ORDERS OF PUBLIC IMPORTANCE (01-04-2017 TO 30-06-2017)

1. On 6th April, 2017, in the case of *Dr. Sou Jayshree Ujwal Ingole v. State of Maharashtra and Anr.* [Criminal Appeal No. 636 of 2017], the appellant- Surgeon, after having called for a Physician, did not wait in the hospital for the Physician to turn up and left the patient, who was suffering from Haemophilia, and thereafter the patient died. Question arose for consideration as to whether the inaction of the appellant amounted to a rash and negligent act on her behalf. In the facts and circumstances of the case, the Supreme Court observed that though the appellant “did not wait for the Physician to come, but it can be assumed that she would have expected that the Physician would come soon. This may be an error in judgment but is definitely not a rash and negligent act contemplated under Section 304-A IPC.” Accordingly, it was held that the appellant was not “guilty of criminal negligence” and “no case of committing a rash and negligent act contemplated under Section 304-A IPC” was made out against her.

2. On 6th April, 2017, in the case of *Ajitsinh Arjunsinh Gohil vs. Bar Council of Gujarat and Anr.* [Civil Appeal No. 8307 of 2015], the issue for consideration was whether after transfer of a disciplinary proceeding, as per the mandate enshrined under Section 36B(1) of the Advocates Act, 1961 to the Bar Council of India (BCI) from the State Bar Council, can the BCI, instead of enquiring into the complaint and adjudicating thereon, send it back to the State Bar Council with the direction to decide the controversy within a stipulated time.

Reading the language employed under Section 36B(1) and Section 36 of the Advocates Act, 1961 in juxtaposition, the Supreme Court held that “the legislature desired that the disciplinary proceedings are to be put an end to within a particular time frame by the State Bar Council and if that is not done, the whole thing gets transferred to the BCI, which is obliged to cause an enquiry. Thus understood, there can be no trace of doubt that the original jurisdiction to deal with the complaint stands transferred to the BCI. Once the original jurisdiction is transferred, to rely upon the language that the BCI may dispose of would include any manner of disposal which would include a remand, cannot be thought of. That is neither the legislative intendment nor the legislative purpose.” It was held that the legislature “never intended a complaint made against an Advocate either from the perspective of the complainant or from the delinquent to be transferred to BCI, again to be sent back.”

However, the Supreme Court also observed that on many occasions, the disciplinary authority of the State Bar Council was not disposing of the complaint within the stipulated period, “as a consequence of which the proceeding stands transferred to the BCI”, and accordingly the State Bar Councils were asked to “take a periodical stock of cases in each meeting with regard to the progress of the Disciplinary Committee, find

out the cause of delay and guide themselves to act with expediency so that the Council, as a statutory body, does its duty as commanded under the Act.”

3. On 7th April, 2017, in the case of *National Insurance Co. Ltd. v. Hindustan Safety Glass Works Ltd.* [Civil Appeal No. 3883 of 2007], the Supreme Court observed that “in a dispute concerning a consumer, it is necessary for the courts to take a pragmatic view of the rights of the consumer principally since it is the consumer who is placed at a disadvantage vis-à-vis the supplier of services or goods. It is to overcome this disadvantage that a beneficent legislation in the form of the Consumer Protection Act, 1986 was enacted by Parliament.” It was held that the provision of limitation in the Consumer Protection Act, 1986 cannot be strictly construed to disadvantage a consumer in a case where a supplier of goods or services itself is instrumental in causing a delay in the settlement of the consumer’s claim.

4. On 7th April, 2017, in the case of *State of Maharashtra v. Nisar Ramzan Sayyed* [Criminal Appeal Nos. 865-866 of 2013], the respondent was held guilty of the offence of causing death of his pregnant wife and minor child. On the question of sentence however, the Supreme Court referred to a recent report of the Law Commission of India [wherein it has recommended the abolition of death penalty for all the crimes other than terrorism related offences and waging war (offences affecting National Security)], and declined to award death penalty observing that today “capital punishment has become a distinctive feature of death penalty apparatus in India which somehow breaches the reformatory theory of punishment under criminal law.” The Court held that “confinement till natural life of the accused respondent shall fulfill the requisite criteria of punishment in peculiar facts and circumstances of the present case.”

5. On 12th April, 2017, in the case of *Palure Bhaskar Rao etc. etc. v. P Ramaseshaiah & Ors. etc.* [Civil Appeal Nos. 6795-6798 of 2014], it was held that “merely because a person is senior, if the senior is not otherwise eligible for consideration as per the rules for promotion, the senior will have to give way to the eligible juniors.”

Citing the instant case to be a classic example for the said principle, and interpreting the Andhra Pradesh Police Subordinate Service Rules and the Andhra Pradesh Police Service Rules, the Supreme Court held that “though the Reserve Sub-Inspector selected and appointed on transfer as Sub-Inspector (Civil) may be seniormost in the category of Sub-Inspector of Police, but still he will be ineligible for consideration of appointment as Inspector in case he does not have 6 years of service as Sub-Inspector of Police (Civil). All his juniors who have 6 years of service as Sub-Inspector of Police and having been recruited to that post from different categories are entitled to steal a march over him as the rule now stands.”

6. On 13th April, 2017, in the case of *Sudha Renukaiah & Ors vs State of A.P* [Criminal Appeal Nos.119-120 of 2014], while observing that “group rivalry is double edged sword”, the Supreme Court held that “when there are eye-witnesses including injured witness who fully support the prosecution case and proved the roles of different

accused, prosecution case cannot be negated only on the ground that it was a case of group rivalry.

7. On 18th April, 2017, in the case of *The Commissioner of Income Tax, Ahmedabad, vs Equinox Solution Pvt Ltd.*[Civil Appeal No.4399 of 2007], it was held that Section 50(2) of the Income Tax Act “applies to a case where any block of assets are transferred by the assessee but where the entire running business with assets and liabilities is sold by the assessee in one go”, such sale cannot be considered as “*short-term capital assets*”. “In other words, the provisions of Section 50(2) of the Act would apply to a case where the assessee transfers one or more block of assets, which he was using in running of his business. Such is not the case here because in this case, the assessee sold the entire business as a running concern.” It was held that the case of the respondent (assessee) did “not fall within the four corners of Section 50(2) of the Act” and “that the entire running business with all assets and liabilities having been sold in one go by the respondent-assessee, it was a slump sale of a “*long-term capital asset*”. It was, therefore, required to be taxed accordingly.”

8. On 19th April, 2017, in the case of *State (through) Central Bureau of Investigation v. Shri Kalyan Singh (former CM of UP) & Ors.*[Criminal Appeal No. 751 of 2017], in an appeal arising out of a case in connection with the demolition of Babri Masjid on 6th December, 1992, where though based on a joint charge sheet filed by the CBI, a fractured prosecution was going on in two places simultaneously- Rae Bareilly and Lucknow, the Supreme Court observed that the accused persons had “not been brought to book largely because of the conduct of the CBI in not pursuing the prosecution of the aforesaid alleged offenders in a joint trial, and because of technical defects which were easily curable, but which were not cured by the State Government.”

Invoking its Constitutional power under Article 142 of the Constitution, the Supreme Court directed that the pending proceedings “in the Court of the Special Judicial Magistrate at Rae Bareilly will stand transferred to the Court of Additional Sessions Judge (Ayodhya Matters) at Lucknow” and that the Court of Sessions will frame an additional charge under Section 120-B IPC “against Mr. L.K. Advani, Mr. Vinay Katiar, Ms. Uma Bharati, Ms. Sadhvi Ritambara, Mr. Murli Manohar Joshi and Mr. Vishnu Hari Dalmia.” It was directed that though Mr. Kalyan Singh, being the Governor of Rajasthan, was entitled to immunity under Article 361 of the Constitution as long as he remained Governor of Rajasthan”, however, the “Court of Sessions will frame charges and move against him as soon as he ceases to be Governor.”

The Supreme Court further directed that “the Court of Sessions will, after transfer of the proceedings from Rae Bareilly to Lucknow and framing of additional charges, within four weeks, take up all the matters on a day-to-day basis from the stage at which the trial proceedings, both at Rae Bareilly and at Lucknow, are continuing, until conclusion of the trial” and that “there shall be no de novo trial.” The Sessions Court was asked to complete the trial and deliver the judgment within a period of 2 years”.

9. On 19th April, 2017, in the case of *Indus Mobile Distribution Private Limited v. Datawind Innovations Private Limited & Ors.* [Civil Appeal Nos. 5370-5371 of 2017], the issue for consideration was as to whether, when the seat of arbitration was Mumbai, an exclusive jurisdiction clause stating that the courts at Mumbai alone would have jurisdiction in respect of disputes arising under the agreement would oust all other courts including the High Court of Delhi, whose judgment was appealed against.

It was held that “under the Law of Arbitration, unlike the Code of Civil Procedure which applies to suits filed in courts, a reference to “seat” is a concept by which a neutral venue can be chosen by the parties to an arbitration clause. The neutral venue may not in the classical sense have jurisdiction – that is, no part of the cause of action may have arisen at the neutral venue and neither would any of the provisions of Section 16 to 21 of the CPC be attracted.” The Supreme Court observed that in arbitration law the moment “seat” is determined, the fact that the seat is at Mumbai would vest Mumbai courts with exclusive jurisdiction for purposes of regulating arbitral proceedings arising out of the agreement between the parties.”

10. On 20th April, 2017, in the case of *Kinnari Mullick and Anr. v. Ghanshyam Das Damani* [Civil Appeal No.5172 of 2017], the issue for consideration was whether Section 34(4) of the Arbitration and Conciliation Act, 1996 empowers the Court to relegate the parties before the Arbitral Tribunal after having set aside the arbitral award in question and *moreso suo moto* in absence of any application made in that behalf by the parties to the arbitration proceedings.

A three Judges Bench held that “the Court can defer the hearing of the application filed under Section 34 for setting aside the award on a written request made by a party to the arbitration proceedings to facilitate the Arbitral Tribunal by resuming the arbitral proceedings or to take such other action as in the opinion of Arbitral Tribunal will eliminate the grounds for setting aside the arbitral award. The quintessence for exercising power under this provision is that the arbitral award has not been set aside. Further, the challenge to the said award has been set up under Section 34 about the deficiencies in the arbitral award which may be curable by allowing the Arbitral Tribunal to take such measures which can eliminate the grounds for setting aside the arbitral award. No power has been invested by the Parliament in the Court to remand the matter to the Arbitral Tribunal except to adjourn the proceedings for the limited purpose mentioned in sub-section 4 of Section 34.”

It was held that “in any case, the limited discretion available to the Court under Section 34(4) can be exercised only upon a written application made in that behalf by a party to the arbitration proceedings. It is crystal clear that the Court cannot exercise this limited power of deferring the proceedings before it *suo moto*. Moreover, before formally setting aside the award, if the party to the arbitration proceedings fails to request the Court to defer the proceedings pending before it, then it is not open to the party to move an application under Section 34(4) of the Act. For, consequent to disposal of the main proceedings under Section 34 of the Act by the Court, it would become *functus officio*. In other words, the limited remedy available under Section 34(4) is required to be

invoked by the party to the arbitral proceedings before the award is set aside by the Court.”

11. On 24th April, 2017, in the case of *M/s Mangalam Organics Ltd v. Union of India* [Civil Appeal No. 1338 of 2017], it was held that “when ‘power’ is given to the Central Government to issue a notification to the effect not to recover duty of excise or recover lesser duty than what is normally payable under the Act, for deciding whether to issue such a Notification or not, there may be various considerations in the mind of the Government. Merely because conditions laid in the said provisions are satisfied, would not be a reason to necessarily issue such a notification. It is purely a policy matter.”

It was held that though “the principle against arbitrariness has been extended to subordinate legislation as well”, but “at the same time, the scope of judicial review in such cases is very limited. Where the statute vests a discretionary power in an administrative authority, the Court would not interfere with the exercise of such discretion unless it is made with oblique end or extraneous purposes or upon extraneous considerations, or arbitrarily, without applying its mind to the relevant considerations, or where it is not guided by any norms which are relevant to the object to be achieved.”

12. On 27th April, 2017, in the case of *Brijendra Singh & Ors. v. State of Rajasthan* [Criminal Appeal No. 763 of 2017], the moot question was the degree of satisfaction that is required for invoking the powers under Section 319 Cr.P.C. and the related question was as to in what situations this power should be exercised in respect of a person named in the FIR but not charge-sheeted.

It was held that the “power under Section 319 Cr.P.C. can be exercised by the trial court at any stage during the trial, i.e., before the conclusion of trial, to summon any person as an accused and face the trial in the ongoing case, once the trial court finds that there is some ‘evidence’ against such a person on the basis of which evidence it can be gathered that he appears to be guilty of offence.”

However, it was also held that “since it is a discretionary power given to the Court under Section 319 Cr.P.C. and is also an extraordinary one, same has to be exercised sparingly and only in those cases where the circumstances of the case so warrants. The degree of satisfaction is more than the degree which is warranted at the time of framing of the charges against others in respect of whom chargesheet was filed. Only where strong and cogent evidence occurs against a person from the evidence led before the Court that such power should be exercised. It is not to be exercised in a casual or a cavalier manner. The prima facie opinion which is to be formed requires stronger evidence than mere probability of his complicity.”

13. On 27th April, 2017, in the case of *Venu v. Ponnusamy Reddiar (Dead) thr. Lrs and Anr.* [Civil Appeal No.4187 of 2008], the question in issue was with respect to the limitation for execution of preliminary decree for partition. It was held that “a preliminary decree for partition crystallizes the rights of parties for seeking partition to the extent

declared, the equities remain to be worked out in final decree proceedings. Till partition is carried out and final decree is passed, there is no question of any limitation running against right to claim partition as per preliminary decree. Even when application is filed seeking appointment of Commissioner, no limitation is prescribed for this purpose, as such, it would not be barred by limitation, lis continues till preliminary decree culminates in to final decree.”

14. On 2nd May, 2017, in the case of *State of U.P vs Sunil* [Criminal Appeal Nos.1432-1434 of 2011], the issue for consideration was whether compelling an accused to provide his fingerprints or footprints etc. would come within the purview of Article 20(3) of the Constitution of India i.e. compelling an accused of an offence to be a “witness” against himself. It was held that “albeit any person can be directed to give his foot-prints for corroboration of evidence”, and though “non-compliance of such direction of the Court may lead to adverse inference, nevertheless, the same cannot be entertained as the sole basis of conviction.”

15. On 4th May, 2017, in the case of *Rajasthan Wakf Board v. Devki Nandan Pathak & Ors.* [Civil Appeal No. 6310 of 2017], it was held that once a “property is declared to be a Wakf property, *a fortiori*, whether the sale of such property is made by a person not connected with the affairs of the Wakf or by a person dealing with the affairs of the Wakf, the same becomes void by virtue of Section 51 of the Waqf Act, 1995 unless it is proved that it was made after obtaining prior permission of the Board as provided under the Act.”

16. On 4th May, 2017, in the case of *Govt. of NCT of Delhi v. Manav Dharam Trust & Anr.* [Civil Appeal No.6112 of 2017], it was held that the subsequent purchaser, the assignee, the successor in interest, the power of attorney, etc., are all persons who are interested in compensation/land owners/affected persons in terms of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and “such persons are entitled to file a case for a declaration that the land acquisition proceedings have lapsed by virtue of operation of Section 24(2) of the 2013 Act. It is a declaration qua the land wherein indisputably they have an interest and they are affected by such acquisition.”

17. On 5th May, 2017, in the case of *Mukesh & Anr v. State for NCT of Delhi & Ors.* [Criminal Appeal Nos.607-608 of 2017], the prosecutrix had been brutally gang-raped in a moving bus in front of her helpless male friend (PW1) who was also assaulted. The prosecutrix was subjected to unnatural sex and her private parts and internal organs were also seriously injured by inserting iron rod and hand in the rectal and vaginal region. The prosecutrix and PW1 were thereafter thrown out of the moving bus by the side of the road. After examining the nature of the crime which ultimately led to the death of the prosecutrix and manner in which it was committed, a three Judge Bench of the Supreme Court confirmed the death penalty imposed upon the accused-appellants by the lower Courts.

In a common judgment delivered by two Hon'ble Judges, it was held that the brutal, barbaric and diabolic nature of the crime was "evincible from the acts committed by the accused persons, viz., the assault on the informant, PW-1 with iron rod and tearing off his clothes; assaulting the informant and the deceased with hands, kicks and iron rod and robbing them of their personal belongings like debit cards, ring, informant's shoes, etc.; attacking the deceased by forcibly disrobing her and committing violent sexual assault by all the appellants; their brutish behaviour in having anal sex with the deceased and forcing her to perform oral sex; injuries on the body of the deceased by way of bite marks (10 in number); and insertion of rod in her private parts that, *inter alia*, caused perforation of her intestine which caused sepsis and, ultimately, led to her death. The medical history of the prosecutrix (as proved in the record in Ex. PW-50/A and Ex. PW-50) demonstrates that the entire intestine of the prosecutrix was perforated and splayed open due to the repeated insertion of the rod and hands; and the appellants had pulled out the internal organs of the prosecutrix in the most savage and inhuman manner that caused grave injuries which ultimately annihilated her life. As has been established, the prosecutrix sustained various bite marks which were observed on her face, lips, jaws, near ear, on the right and left breast, left upper arm, right lower limb, right inner groin, right lower thigh, left thigh lateral, left lower anterior and genitals. These acts itself demonstrate the mental perversion and inconceivable brutality as caused by the appellants. As further proven, they threw the informant and the deceased victim on the road in a cold winter night. After throwing the informant and the deceased victim, the convicts tried to run the bus over them so that there would be no evidence against them. They made all possible efforts in destroying the evidence by, *inter alia*, washing the bus and burning the clothes of the deceased and after performing the gruesome act, they divided the loot among themselves."

In the said common judgment, it was observed that it was "absolutely obvious that the accused persons had found an object for enjoyment in her and, as is evident, they were obsessed with the singular purpose sans any feeling to ravish her as they liked, treat her as they felt" and, that "the gross sadistic and beastly instinctual pleasures came to the forefront when they, after ravishing her, thought it to be just a matter of routine to throw her alongwith her friend out of the bus and crush them. The casual manner with which she was treated and the devilish manner in which they played with her identity and dignity is humanly inconceivable. It sounds like a story from a different world where humanity has been treated with irreverence. The appetite for sex, the hunger for violence, the position of the empowered and the attitude of perversity, to say the least, are bound to shock the collective conscience which knows not what to do. It is manifest that the wanton lust, the servility to absolutely unchained carnal desire and slavery to the loathsome beastility of passion ruled the mindset of the appellants to commit a crime which can summon with immediacy "tsunami" of shock in the mind of the collective and destroy the civilised marrows of the milieu in entirety." Arriving at the singular conclusion that the aggravating circumstances outweighed the mitigating circumstances brought on record, the Hon'ble Judge held that the High Court had "correctly confirmed the death penalty".

In a separate but concurring judgment, the third Hon'ble Judge too affirmed the death sentence awarded to the accused persons observing that "the gruesome offences were committed with highest viciousness. Human lust was allowed to take such a demonic form. The accused may not be hardened criminals; but the cruel manner in which the gang-rape was committed in the moving bus; iron rods were inserted in the private parts of the victim; and the coldness with which both the victims were thrown naked in cold wintery night of December, shocks the collective conscience of the society. The present case clearly comes within the category of '*rarest of rare case*' where the question of any other punishment is 'unquestionably foreclosed'. If at all there is a case warranting award of death sentence, it is the present case. If the dreadfulness displayed by the accused in committing the gang-rape, unnatural sex, insertion of iron rod in the private parts of the victim does not fall in the '*rarest of rare category*', then one may wonder what else would fall in that category."

18. On 8th May, 2017, in the case of *State of Jharkhand through SP, CBI v. Lalu Prasad @ Lalu Prasad Yadav* [Criminal Appeal No. 394 of 2017], in appeals arising out of three separate judgments and orders of the High Court discharging three accused persons namely; Lalu Prasad Yadav, Sajal Chakraborty and Dr. Jagannath Mishra on ground of their conviction in one of the criminal cases arising out of fodder scam of erstwhile State of Bihar, question arose for consideration as to whether in view of Article 20(2) of Constitution and Section 300 Cr.PC, it was a case of prosecution and punishment for the "same offence" more than once.

While observing that "the *modus operandi* being the same would not make it a single offence when the offences are separate" and "there may be a conspiracy in general one and a separate one" and "there may be larger conspiracy and smaller conspiracy which may develop in successive stages involving different accused persons", the Supreme Court held that in the instant case defalcations were "made in various years by combination of different accused persons" and thus, "there can be separate trials." It was held that in the instant case "there was conspiracy hatched which was continuing one and has resulted into various offences" and "it cannot be said that for the same offence the accused persons are being tried again."

The Court observed that "if conspiracy is furthered into several distinct offences there have to be separate trials. There may be a situation where in furtherance of general conspiracy, offences take place in various parts of India and several persons are killed at different times. Each trial has to be separately held and the accused to be punished separately for the offence committed in furtherance of conspiracy. In case there is only one trial for such conspiracy for separate offences, it would enable the accused person to go scotfree and commit number of offences which is not the intendment of law."

Accordingly, while setting aside the impugned judgments and orders passed by the High Court, the trial court concerned was directed to expedite the trial and to conclude the same as far as possible within a period of nine months.

19. On 9th May, 2017, in the case of *Shivashakthi Sugar Limited v. Shee Renuka Sugar Limited & Ors.* [Civil Appeal No. 5040 of 2014], the Supreme Court observed that interface between law and economics is much more relevant in today's time when the country has ushered into the era of economic liberalization, which is also termed as 'globalisation' of economy and India is on the road of economic growth" and further that it has become the bounden duty of the Court to have the economic analysis and economic impact of its decisions. It was however clarified that while taking into account these considerations specific provisions of law are not to be ignored.

It was held that the "first duty of the Court is to decide the case by applying the statutory provisions. However, on the application of law and while interpreting a particular provision, economic impact/effect of a decision, wherever warranted, has to be kept in mind. Likewise, in a situation where two views are possible or wherever there is a discretion given to the Court by law, the Court needs to lean in favour of a particular view which subserves the economic interest of the nation. Conversely, the Court needs to avoid that particular outcome which has a potential to create an adverse affect on employment, growth of infrastructure or economy or the revenue of the State. It is in this context that economic analysis of the impact of the decision becomes imperative."

20. On 9th June, 2017, in the case of *Binoy Viswam v. Union of India & Ors.* [Writ Petition (Civil) No.247 of 2017], the Supreme Court examined the constitutional validity of Section 139AA of Income Tax Act, 1961 (a provision inserted by amendment to the said Act vide Finance Act, 2017). The effect of this provision is that every person who desires to obtain PAN card or who is an assessee has to necessarily enrol for Aadhaar. It makes obtaining of Aadhaar card compulsory for those persons who are income-tax assesseees. Proviso to sub-section (2) of Section 139AA of the Act stipulates the consequences of failure to intimate the Aadhaar number. Challenge was made to this compulsive nature of provision inasmuch as with the introduction of the aforesaid provision, no discretion was left with the income-tax assesseees insofar as enrolment under the Aadhaar (Targeting Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016 is concerned. According to the petitioners, though Aadhaar Act prescribes that enrolment under the said Act is voluntary and gives choice to a person to enrol or not to enrol himself and obtain Aadhaar card, this compulsive element thrust in Section 139AA of the Act makes the said provision unconstitutional.

It was held that "the Parliament was fully competent to enact Section 139AA of the Act and its authority to make this law was not diluted by the orders of this Court" and there is no "conflict between the provisions of Aadhaar Act and Section 139AA of the Income Tax Act inasmuch as when interpreted harmoniously, they operate in distinct fields." It was further held that "Section 139AA of the Act is not discriminatory nor it offends equality clause enshrined in Article 14 of the Constitution" "Section 139AA is also not violative of Article 19(1)(g) of the Constitution insofar as it mandates giving of Aadhaar enrollment number for applying PAN cards in the income tax returns or notified Aadhaar enrollment number to the designated authorities. Further, proviso to sub-section (2) thereof has to be read down to mean that it would operate only prospective."

The Bench further held that “the validity of the provision upheld in the aforesaid manner is subject to passing the muster of Article 21 of the Constitution, which is the issue before the Constitution Bench in Writ Petition (Civil) No. 494 of 2012 and other connected matters. Till then, there shall remain a partial stay on the operation of proviso to sub-section (2) of Section 139AA of the Act.”

21. On 19th June, 2017, in the case of *Allokam Peddabbayya and Another v. Allahabad Bank and Others* [Civil Appeal Nos. 2763-2764 of 2008], it was held that the right to enforce a claim for equity of redemption is a statutory right under the Transfer of Property Act, 1882. It necessarily presupposes the existence of a mortgage. The right to redeem can stand extinguished either by the act of the parties or by operation of the law in the form of a Decree of the Court under the proviso to Section 60 of the Act.

It was further held that “if the right to redeem stood extinguished by operation of the law under the proviso to Section 60 of the Act, prior to the period of limitation, it cannot be contended that the right could nonetheless be enforced anytime before the expiry of limitation of 30 years. If there remained no subsisting mortgage, it is difficult to fathom what was to be redeemed.”

Accordingly, in the facts and circumstances of the case, it was held that “the Plaintiffs lost the right to sue for redemption of the mortgaged property by virtue of the proviso to Section 60 of the Act, no sooner that the mortgaged property was put to auction sale in a suit for foreclosure and sale certificate was issued in favour of Defendant no.2. There remained no property mortgaged to be redeemed. The right to redemption could not be claimed in the abstract.”

MAJOR ACTIVITIES OF NATIONAL JUDICIAL ACADEMY (NJA) **(01-04-2017 to 30-06-2017)**

Regional Conferences of the Academy: Keeping in view the pressure on the judiciary to deliver timely justice, various issues ranging from ethics, integrity, vigilance, social context judging and use of technology, consequences of corruption on the institution and public perception, and the perceived gap in the relationship between High Court and the District Judiciary, Regional Conferences are organised by the NJA to help judicial officers understand challenges faced by subordinate judicial officers in a particular region and to develop consensus on how to meet those challenges. The **West Zone Regional Conference** was held on 29th and 30th, April, 2017 and was organized by NJA in collaboration with the High Court of Gujarat and the Gujarat State Judicial Academy. The conference was attended by 73 participants. The **North Zone Regional Conference** was held from 13th to 14th May, 2017 and was organized by NJA in association with the High Court of Jammu and Kashmir and the J&K State Judicial Academy. A total of 72 participants took part in discourses during this Conference.

Annual National Seminar on Working of the Juvenile Justice Boards in India: The Seminar was held from 1st to 2nd April, 2017. The seminar facilitated discussions and analyzed jurisprudential developments in juvenile justice law and focused on functioning of the juvenile justice system in India; and core issues in dealing with cases of juveniles and other challenges faced by presiding officers in dispensing justice under the scheme of the Juvenile Justice (Care and Protection of Children) Act, 2015.

Annual National Seminar on Functions of the Registrar (Miscellaneous) in Different High Court: The Seminar was held from 8th to 9th April, 2017. The seminar included discussions on interdisciplinary themes specifically relating to management principles like planning and controlling, human resource management, capacity building, relationship management, judicial data analysis and occupational stress management to improve efficiency in administration and achieve efficient court administration.

Annual Conference on Stress Management: The Conference was held from 15th to 16th April, 2017. The conference was organized with the objective of appreciating the judicial stress, effect on the decision making capacity of judges and to identify prevention, curative & rehabilitative measures to combat stress.

Colloquium to Develop Guidelines on Exercise of Supervisory Power over the Subordinate Courts: The Colloquium was held on 22nd and 23rd April, 2017. The colloquium aimed to discuss the need and way out for standardization of the role and responsibilities of guardian judges. Deliberation were made on the issues of robust compliance of constitutional mandate to guardian judges, role of guardian judges in judicial performance assessment; protocols for effective inspection of courts; and how to enhance objectivity and catalyze excellence through ACRs. The colloquium also

discussed challenges faced by guardian judges and the way forward in developing guidelines for exercise of supervisory power.

Annual Conference on Bench and Bar Relationships at the High Court Level: The Conference was held from 6th to 7th May, 2017. The conference focused on themes pertaining to operative norms for optimizing justice delivery; managing the complex web of precedent conflict and emerging issues pertaining to official and personal relationship between bench and bar. Further, it aimed to identify the appropriate judicial role in circumstances involving sub-optimal assistance at the bar. The conference was calibrated to deliberate upon emerging concerns regarding Bench and Bar Relationship through interactive sessions among resource persons and participant justices. It emerged that knowledge from different perspectives will nurture more productive and harmonious Bench and Bar relationship.

Orientation-cum-sensitization Programme on Adoption under The Juvenile Justice (Care and Protection of Children) Act, 2015: The National Judicial Academy has been directed by the Hon'ble Chief Justice of India to organize orientation-cum-sensitization programmes on adoption under The Juvenile Justice (Care and Protection of Children) Act, 2015; The Juvenile Justice (Care and Protection of Children) Model Rules, 2016 and the Adoption Regulations, 2017 for judicial officers, as events sponsored by the Central Adoption Resource Authority (CARA). The first of such workshops was scheduled on 8th & 9th April, 2017.

Training Programme for Judges from Sri Lanka: The programme was held from 20th to 24th April, 2017. The conference was conceived to appreciate the impact of media on public perception regarding vitality of the justice delivery system; access to justice and legal aid; contours of social action litigation; the law and practice on contempt of court in the Indian and Sri Lankan context; Separation of powers; scope of judicial review; judicial discretion. Judicial independence and accountability also came up as issues for deliberation. The conference facilitated discussions on ADR initiatives in India and Sri Lanka as well.

Workshop for Federal Indirect Taxes Adjudicators (Chief Commissioners, Commissioners): The Workshop, held from 1st to 3rd May, 2017, intended to assist participants in gaining deeper insights into constitutional and statutory bases to taxation, interpretation of taxing statutes, role of adjudicators, judicial ethics, drafting of reasoned orders and pathologies in tax assessment proceedings. The objective of the workshop was to enhance knowledge and skills of participants in dealing with taxation matters and accrete the vitality of tax administration.

MAJOR ACTIVITIES OF NATIONAL LEGAL SERVICES AUTHORITY (NALSA)

(01-04-2017 to 30-06-2017)

1. Seminar on “Welfare of Senior Citizens: Issues, Challenges and Way Forward”: The Seminar was organised by the Haryana State Legal Services Authority at Faridabad on 15th April, 2017. The theme of the Seminar was to discuss the issues relating to neglect and mal-treatment of Senior Citizens and the relevant law, programmes and policies relating to them. On the occasion, a campaign for senior citizens “YOU ARE NOT ALONE” to be carried out across the State of Haryana for the benefit of senior citizens, was launched by Hon’ble Mr. Justice Dipak Misra, Judge, Supreme Court of India.

2. National Meet of Para Legal Volunteers (PLVs): The idea of holding such a National Meet was conceived by Mr. Justice Dipak Misra, Judge, Supreme Court of India & Executive Chairman, NALSA. NALSA organised a National Meet of Para Legal Volunteers on 29th & 30th April, 2017 at New Delhi. Hon’ble Mr. Justice Jagdish Singh Khehar, Chief Justice of India & Patron-in-Chief, NALSA inaugurated the PLV Meet in the august presence of Hon’ble Mr. Justice Dipak Misra, Judge, Supreme Court of India & Executive Chairman, NALSA and Shri Ravi Shankar Prasad, Hon’ble Union Minister for Law & Justice. Hon’ble Mr. Justice Ranjan Gogoi, Judge, Supreme Court of India & Chairman, Supreme Court Legal Services Committee co-chaired one of the Sessions. Union Law Minister, Mr. Ravi Shankar Prasad, emphasized the need for digital delivery system for quick access to justice for the marginalised sections of the society.

3. Legal Assistance Establishments: . Legal Assistance Establishments are a strategic cornerstone of the Legal Services Authorities. They are multiple services-single point establishment for providing facilities for legal aid seekers under one roof and at a single location. The Legal Assistance Establishment would be manned by Legal Services Advocates on the panel of SLSA/DLSA along with staff of SLSA besides Para Legal Volunteers(PLVs) who would have knowledge about and be in possession of data base of all the activities of SLSA/DLSA as well as other information that may be required by people mainly who are either legal services beneficiaries or the legal services seekers. The Data Base would include the status of all legal aided cases pending in various courts of States and Union Territories. The Legal Assistance Establishments would provide to the beneficiaries, viz. quick information about their case status pending in any of the districts, Legal aid & advice, and Information about various schemes of NALSA, Central/State Governments, etc. The Legal Assistance Establishments shall render: (i) meaningful service to the people in need of legal assistance particularly women, children, senior citizens, Scheduled Caste/ Scheduled Tribe or Socially and Economically Backward Class persons and

people in distress; (ii) service to make people aware of their rights and the benefits of schemes introduced by the Central and State Government from time to time; (iii) necessary help to common people in mitigating their grievance with the Government offices, authorities and other institutions; (iv) necessary assistance in the spread of legal awareness among people, and (v) any other service which may be assigned by the State Legal Services Authority from time to time. Such establishments will provide following facilities: a) Helpline No. 1516; b) Dedicated landline telephone; c) Dedicated email I.D; d) Video Conferencing with DLSAs and Jails; e) Smart Mobile phone handset with dedicated number; f) Internet facilities for linking with the website of Supreme Court, Delhi High Court, Delhi District Courts, NALSA and other important Courts/ Tribunals; g) Services of a legal aid lawyer to provide legal aid and advice. The first Legal Assistance Establishment in Delhi State Legal Services Authority was inaugurated on 17th May, 2017. The Delhi SLSA has named it as 'Nyaya Sanyog'. The Legal Assistance Establishment would be manned by legal services Advocates on the panel of Delhi State Legal Services Authority along with the Para Legal Volunteers.

4. Regional Conference of Northern & Western State Legal Services Authorities: The Regional Conference was convened on 27-28th May, 2017 in Ahmedabad. The broad objectives of the Meet were to understand and build consensus on priorities of State Legal Services Authorities in the region, to discuss difficulties faced in implementing the legal services programmes, plan to measurably reduce the Court's pendency through Lok Adalats in the current financial year, awareness about the Government's Schemes and suggestions for improving the quality and range of the legal services. The following important resolutions were passed in the said Meet: (1) It was re-emphasized that meetings should be held with the heads of the Insurance Companies, Banks, Electricity Companies etc., before each National Lok Adalat; (2) The Executive Chairpersons of the SLSAs should have video conferencing with the District Judges and other judicial officers before every National LokAdalat. This may be done on consecutive Saturdays prior to the LokAdalat, connecting with 8-10 Districts on each occasion. (3) All SLSAs may conduct sustained campaign with the caption 'You are not alone' for spreading awareness and providing legal assistance to senior citizens, on the lines of the campaign recently conducted in Haryana. (4) All SLSAs and DSLAs should conduct regular induction and refresher training programmes for Panel Lawyers. (5) It was clarified that under the NALSA's Scheme for Para Legal Volunteers, the honorarium of Rs.250/- per day is only the minimum fixed by NALSA. The SLSAs may increase the honorarium so as to reasonably compensate the PLVs and seek NALSA's approval for implementing the same. (6) All SLSAs should make Legal Assistance Establishments functional in their offices by 21st of June, 2017. (7) After seeking suggestions from all the participants, a motto for Para legal volunteers 'CONNECT AND ACT' was adopted.

5. Launching of Tele-Law through Common Service Centres (CSCs): One of the initiatives of the NALSA is to mainstream legal aid services through the CSCs. The CSCs are a strategic cornerstone for the upliftment of the Digital India Platform. They are the access points for delivering various electronic services to villages in India and hence contribute to make a digitally and financially inclusive society. It works upon the three vision areas of the Digital India Program which are: (i) building Digital Infrastructure as a core utility for all citizens; (ii) providing Governance and Services on demand, and (iii) digitally empowering all the citizens. The main objective of the CSC scheme is to provide Non-Discriminatory access to e-service for rural citizens by making CSC's service delivery centers. They not only serve as a service delivery point but also as changing agents and further help to promote rural entrepreneurship and build rural capacities and livelihoods. The Tele-Law Scheme has initially been launched in Uttar Pradesh by the Hon'ble Union Minister of Law and Justice and Electronics and Information Technology in the august presence of Shri Yogi Adityanath, Hon'ble Chief Minister, Uttar Pradesh, Hon'ble Mr. Justice Dilip Babasaheb Bhosale, Chief Justice, Allahabad High Court and Patron-in-chief, UPSLSA on 6th June 2017.

6. Summer Internship Programme-2017: Reflective Session for Law Students: Hon'ble Mr. Justice Dipak Misra, Executive Chairman, NALSA addressed the Reflective Session for the law interns on 19th June, 2017 in the Plenary Hall at Indian Law Institute.

7. Launch of Web Application for Legal Services to Prisoners: Hon'ble Mr. Justice Dipak Misra, Executive Chairman, NALSA launched Web Application for Legal Services to Prisoners on 28th June, 2017 at Indian Law Institute, New Delhi. The vision was that no prisoner should be unrepresented in the Courts during the course of trial or appeal.

SOME MAJOR EVENTS (From 01-04-2017 to 30-06-2017)

Moving Towards, Security and Transparency from a Paper Court, to a Digital Court: The Supreme Court of India advanced towards digitization by “moving towards, security and transparency from a paper court to a digital court” on 10th May, 2017. ‘Integrated Case Management Information System’ was inaugurated by uploading the same on the website of Supreme Court of India by Hon’ble the Prime Minister of India in the august presence of Hon’ble the Chief Justice of India, Hon’ble Judges of Supreme Court of India, Hon’ble Minister of Law & Justice and Electronics and Information Technology, and other dignitaries engaged in the judicial system of India at Vigyan Bhawan, New Delhi. Hon’ble Shri Justice Dipak Misra, Judge, Supreme Court of India, presented the welcome address followed by introductory address by Hon’ble Shri Justice J.S. Khehar, the Chief Justice of India. Further, Hon’ble Shri Justice A.M. Khanwilkar gave a presentation about the new website of Supreme Court of India. Shri Ravi Shankar Prasad, Hon’ble Minister of Law & Justice and Electronics and Information Technology also addressed the inaugural function followed by Hon’ble the Prime Minister of India. Hon’ble Shri Justice Jasti Chelameswar, Judge, Supreme Court of India, concluded the inaugural function by presenting vote of thanks.

FOREIGN DELEGATIONS IN SUPREME COURT (From 01-04-2017 to 30-06-2017)

1. On 4th May, 2017, Hon’ble Shri J.S. Khehar, Chief Justice of India had a meeting with a delegation from Malaysia- Hon’ble Dato’ Sri Azalina Othman Said, Minister at the Prime Minister’s Department of Malaysia, accompanied by Hon’ble Dato’ P. Karnalanathan P. Panchanathan, Deputy Minister of Education and Hon’ble Senator Datin Paduka Chew Mei Fun, Deputy Minister of Women, Family and Community Development.
2. On 30th June, 2017, Hon’ble Shri J.S. Khehar, Chief Justice of India, Hon’ble Mr. Justice Dipak Misra, Hon’ble Mr. Justice J. Chelameswar, Hon’ble Mr. Justice Ranjan Gogoi and Hon’ble Mr. Justice Madan B. Lokur had meeting with a 12-Member Kenyan Delegation headed by Hon’ble Mr. Justice Paul Kihara Kariuki, President of Court of Appeal, Kenya.

SOME IMPORTANT VISITS AND CONFERENCES (From 01-04-2017 to 30-06-2017)

ABROAD:

1. Hon'ble Shri Jagdish Singh Khehar, Chief Justice of India visited Brussels, Belgium as Head of the Indian delegation to visit the Constitutional Court of Belgium from 12th to 15th June, 2017.
2. Hon'ble Mr. Justice Madan B. Lokur visited Brussels, Belgium to visit the Constitutional Court of Belgium from 12th to 15th June, 2017.
3. Hon'ble Dr. Justice D. Y. Chandrachud visited participated in and addressed a Conference organized by the School of Law, Deakin University, Melbourne, Australia, on Information Technology between 22nd and 26th May, 2017.
4. Hon'ble Mr. Justice Arun Mishra visited St. Petersburg, Russia (i) to participate in the International Conference of Chief Justices and Justices of the Supreme Courts of various countries held in the Constitutional Court of the Russian Federation and delivered lecture on "Constitutional Justice : Doctrine and Practice" and (ii) to participate in VII St. Petersburg International Legal Forum from 16th to 18th May, 2017.
5. Hon'ble Mr. Justice Sanjay Kishan Kaul visited Barcelona, Spain to attend workshop at the 139th Annual Meeting of the International Trademark Association's from 20th to 24th May, 2017.

INLAND:

1. Hon'ble Shri Jagdish Singh Khehar, Chief Justice of India, visited Allahabad, to attend the Concluding Function to mark the Sesquicentennial Celebrations of Allahabad High Court on 2nd April, 2017.
2. Hon'ble Mr. Justice Dipak Misra (i) inaugurated All India Seminar on "Economic Reforms with Reference to Electoral Issues" organized by Confederation of Indian Bar at the Plenary Hall, Vigyan Bhawan on 8th April, 2017; (ii) participated as Chief Guest in the Seminar on "Welfare of Senior Citizens : Issues, Challenges and Way Forward" organized by Haryana Legal Services Authority at Manav Rachna International University, Faridabad on 15th April, 2017; (iii) delivered Keynote Address as Chief Guest on "Shaping the Future of Dispute Resolution & Improving Access to Justice" at the inaugural session of Global Pound Conference Series, India at Chandigarh Judicial Academy on 12th May, 2017; (iv) Inaugurated as Chief Guest the Regional Conference of Northern & Western Zones, State Legal Services Authorities at Ahmedabad on 27th May, 2017; (v) Delivered Keynote address at the launch of "Tele-Law : Mainstreaming Legal Aid through Common Services Centres" at Allahabad High Court Auditorium, Lucknow Bench, Lucknow and addressed Legal Assistance Establishment Programme, Lucknow on 6th June, 2017; (vi) Inaugurated (a) the Legal Assistance Establishment Programme in the Nyaya Sadan, JHALSA premises, and (b) as a Chief Guest, the State Level Training Programme for Legal Services Lawyers of Jharkhand under the NALSA's Training Module Part II at Ranchi on 17th June, 2017; and (vii) Inaugurated Legal Assistance "Nyaya Samadhan" at Bihar State Legal

Services Authority and participated in inaugural function at Adhiveshan Bhawan, Opposite Sinchai Bhawan, Old Secretariat, Patna on 24th June, 2017.

3. Hon'ble Mr. Justice J. Chelameswar visited Dibrugarh to attend 4th PGPR Symposium on 20th May, 2017.

4. Hon'ble Mr. Justice Ranjan Gogoi visited Aurangabad to attend General Council Meeting of MNLU, Aurangabad on 10th June, 2017.

5. Hon'ble Mr. Justice Madan B. Lokur (i) visited Ahmedabad (a) to attend the Third Round Table Conference: Western Region on Effective Implementation of The Juvenile Justice (Care and Protection of Children) Act, 2015 – Focus on Rehabilitation Services and Linkages with the POCSO Act, 2012 on Juvenile Justice Issue organised by Supreme Court Juvenile Justice Committee and supported by UNICEF at Gujarat State Judicial Academy, on 22-23 April, 2017; and (b) to attend the “West Zone Regional Conference for Enhancing the Excellence of Judicial Institutions: Challenges & Opportunities” organised by NJA in collaboration with the High Court of Gujarat from 28th to 30th April, 2017; (ii) visited Jaipur to attend the Regional Round Table Programme on Juvenile Justice Issues held on 6-7 May, 2017; (iii) visited Chandigarh to attend the Global Pound Conference Series on Shaping the Future of Dispute Resolution & Improving Access to Justice organised by Punjab & Haryana High Court Mediation Cell and Chandigarh Judicial Academy from 12th to 14th May, 2017; (iv) attended the North Zone Regional Conference on Enhancing Excellence of the Judicial Institutions: Challenges & Opportunities organized by NJA in collaboration with the Jammu & Kashmir High Court and Jammu & Kashmir State Judicial Academy at Srinagar on 13th and 14th May, 2017; and (iv) visited Imphal to attend the new High Court CIS at Imphal from 22nd to 23rd May, 2017.

6. Hon'ble Mr. Justice Kurian Joseph visited (i) Kochi to inaugurate the State Conference of Bharatheeya Abhibhashaka Parishad at Town Hall, Ernakulam (Kerala) on 9th April, 2017; (ii) Bhopal to (a) attend the conference / seminar organized by the National Judicial Academy, Bhopal on 15th April, 2017; and (b) to attend “Colloquium to develop guidelines on exercise of supervisory power over the subordinate courts” organized by the National Judicial Academy, Bhopal on 23rd April, 2017; (iii) Ahmedabad to attend “West Zone Regional conference for enhancing the excellence of Judicial Institutions “ Challenges and Opportunities” organized by NJA, Bhopal on 29th April, 2017; and (iv) Bhopal to attend the “Annual Conference on Bench and Bar Relationships at the High Court Level” organized by NJA on 6th May, 2017.

7. Hon'ble Mr. Justice A.K. Sikri visited (i) Gangtok to attend the “Regional Conference for Enhancing the Excellence of Judicial Institutions: Challenges & Opportunities” organized by the National Judicial Academy, Bhopal in association with the Sikkim High Court from 1st to 2nd April, 2017; (ii) Chandigarh to attend the Valedictory Function of Chandigarh Judicial Academy on Completion of Induction Training Programme of Judicial officers from the States of Punjab and Haryana on 8th April, 2017; (iii) Faridabad to inaugurate the New Judicial Courts Complex, Faridabad on 29th April, 2017; (iv) Chandigarh to attend the Global Pound Conference on “Shaping the Future of Dispute Resolution & Improving Access to Justice” organised by International Mediation Institute, Hague in association with Mediation Cell of Punjab & Haryana High Court and Chandigarh Judicial Academy from 12th to 13th May, 2017; and (v) Mumbai to attend the function of IMC International ADR Centre on 31st May, 2017.

8. Hon'ble Mr. Justice Sharad Arvind Bobde visited (i) Allahabad to attend the closing ceremony of the sesquicentennial celebrations of the Allahabad High Court on 2nd April, 2017; (ii) Bhopal to attend the Convocation of the National Law Institute University, Bhopal from 8th to 9th April,

2017; (iii) Nagpur (a) to attend the Installation Ceremony of the newly elected Executive Committee of the High Court Bar Association, Nagpur on 14th April, 2017; and (b) to attend meeting of the General Council of MNLU, Nagpur on 22nd April, 2017.

9. Hon'ble Mr. Justice R. K. Agrawal (i) visited Allahabad to participate in the closing ceremony of the Sesquicentennial celebrations of the Allahabad High Court on 2nd April, 2017; (ii) attended All India Seminar on "Economics Reforms with reference to electoral issues" at Vigyan Bhawan, New Delhi on 8th April, 2017; (iii) visited Ahmedabad to participate in the National Tax Conference 2017 at Anand on 22nd April, 2017; and (iv) visited Chandigarh to attend a Seminar on "Digitization in Broadcasting and Cable Services" organized by TDSAT on 20th May, 2017.

10. Hon'ble Mr. Justice N. V. Ramana visited Hyderabad as Chief Guest for Prize Distribution Ceremony of LexKnot Lex-Festum 2017 at IFHE Campus, Shankarpally on 1st April, 2017.

11. Hon'ble Mr. Justice Arun Mishra visited (i) Udaipur to attend the second two days' State Level Workshop as Chief Guest on "Alternative Dispute Resolution : An effective mode to access fair, inexpensive and expeditious justice" organized by the Indian Law Institute, Rajasthan Chapter on 14th – 15th April, 2017; (ii) Raipur to attend as 'Chancellor' the Executive Council and General Council meeting of the Hidayatullah National Law University at Raipur on 24th June, 2017; and (iii) Bengaluru to participate in the meeting of the General Council of NLSIU by Bar Council of India in which His Lordship nominated as a Member of the said Council followed by Annual Convocation ceremony of the Institution on 5th June, 2017.

12. Hon'ble Mr. Justice Uday Umesh Lalit visited Bhopal to attend Annual Conference on Bench and Bar Relationships at the High Court Level held on 6th and 7th May, 2017 organized by NJA.

13. Hon'ble Dr. Justice D. Y. Chandrachud addressed a colloquium organized by IDFC Institute at a session on the topic 'Judicial overreach or executive lawlessness' on 22 April, 2017 at Goa.

14. Hon'ble Mr. Justice Ashok Bhushan visited Jaipur to deliver address in the GST Conference organized by Rajasthan Tax Consultants' Association at Rajasthan High Court, Jaipur on 21st May, 2017.

15. Hon'ble Mr. Justice L. Nageswara Rao visited (i) Coimbatore to deliver the Keynote Address on the occasion of unveiling the portrait of Late Thiru K.A. Ramachandran, Sr. Advocate, Coimbatore at Hotel Raddison Blu, Coimbatore on 1st April, 2017; (ii) Hyderabad to attend as Chief Guest the Valedictory and Prize Distribution Event of the 33rd All India Inter-University Moot Court Competition at IFHE Campus, Shankarpally on 2nd April, 2017; and (iii) Vijayawada to attend as Chief Guest the National Seminar on 'Indian Constitution – Goals – Achievements' organized by Acharya Nagarjuna University, Guntur, Andhra Pradesh on 22nd April, 2017.

16. Hon'ble Mr. Justice Mohan M. Shantanagoudar visited Dharwad to attend Convocation function at Karnataka University, Dharwad on 15th April, 2017.

17. Hon'ble Mr. Justice Navin Sinha visited Srinagar to participate in Session 4 "Relationship between High Court and District Judiciary" of 2nd North Zone Regional Conferences on Enhancing Excellence of the Judicial Institutions: Challenges & Opportunities organized by NJA at Srinagar on 13th May, 2017.



The

Supreme Court Reports

(WEEKLY)

Official Journal
of Reportable Supreme Court Decisions

[2017] 1 S.C.R. (Part-I)

Highlights of the issue

High Court, whether empowered to punish for contempt of Supreme Court.

Vitusah Oberoi v. Court of Its Own Motion ...25

Purpose and intention behind the enactment of s. 123(3) of the Representation of the People Act, 1951 – Discussed.

Abhiram Singh v. C.D. Commachen (D) by LRs. ...158

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