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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. KrishnaP-987

Need to adopt mechanism to avoid inordinate delays in matters pending in courts, emphasized
Noor Mohammed v. JethanandP-1146

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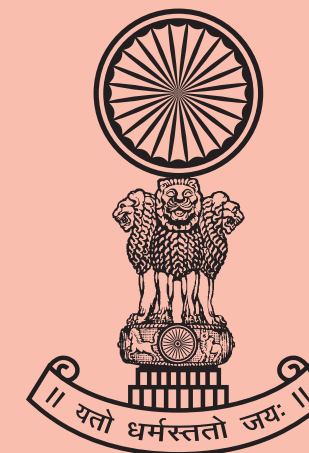
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COURT NEWS

Vol. VIII Issue No. 1

January - March 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 31-03-2013)

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

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

**APPOINTMENTS AND RETIREMENTS IN THE
SUPREME COURT OF INDIA
(FROM 01-01-2013 TO 31-03-2013)**

APPOINTMENTS

| S.No. | Name of Hon'ble Judge | Date of Appointment |
|--------------|--|----------------------------|
| 1 | Hon'ble Mr. Justice Pinaki Chandra Ghose | 08-03-2013 |
| 2 | Hon'ble Mr. Justice Kurian Joseph | 08-03-2013 |

RETIREMENT

| S.No. | Name of Hon'ble Judge | Date of Retirement |
|--------------|-------------------------------|---------------------------|
| 1 | Hon'ble Mr. Justice D.K. Jain | 25-01-2013 |

APPOINTMENTS IN THE HIGH COURTS

(From 01-01-2013 to 31-03-2013)

| S.No. | Name of the High Court | Name of the Hon'ble Judge | Date of Appointment |
|--------------------|------------------------|--------------------------------------|---------------------|
| 1 | Allahabad | Shiva Kirti Singh (As Chief Justice) | 04-02-13 |
| | | Brijesh Kumar Srivastava-II | 03-01-13 |
| | | Bharat Bhushan | 03-01-13 |
| | | Zaki Ullah Khan | 03-01-13 |
| | | Bachchoo Lal | 22-01-13 |
| 2 | Jammu & Kashmir | Ali Mohd. Magrey | 08-03-13 |
| | | Dhiraj Singh Thakur | 08-03-13 |
| | | Tashi Rabstan | 08-03-13 |
| | | Bansi Lal Bhat | 08-03-13 |
| | | Janak Raj Kotwal | 08-03-13 |
| 3 | Jharkhand | Shree Chandrashekhar | 17-01-13 |
| 4 | Karnataka | D.H. Waghela (As Chief Justice) | 07-03-13 |
| 5 | Kerala | P.D. Rajan | 28-01-13 |
| | | K. Ramakrishnan | 28-01-13 |
| | | B. Kemal Pasha | 28-01-13 |
| | | A. Hariprasad | 28-01-13 |
| 6 | Manipur | A.M. Sapre (As Chief Justice) | 23-03-13 |
| | | N. Kotiswar Singh# | 23-03-13 |
| 7 | Meghalaya | T. Meena Kumari (As Chief Justice) | 23-03-13 |
| | | T. Nandakumar Singh# | 23-03-13 |
| | | Sudip Ranjan Sen# | 23-03-13 |
| 8 | Orissa | C. Nagappan (As Chief Justice) | 27-02-13 |
| | | Raghubir Dash | 04-01-13 |
| 9 | Rajasthan | Amitava Roy (As Chief Justice) | 02-01-13 |
| | | Jainendra Kumar Ranka | 08-01-13 |
| | | Pratap Krishna Lohra | 08-01-13 |
| | | Virendra Singh Sirdhana (Gurjar) | 08-01-13 |
| | | Vijay Bishnoi | 08-01-13 |
| | | Arun Bhansali | 08-01-13 |
| | | Atul Kumar Jain | 21-01-13 |
| | | Mahendra Kumar Maheshwari | 21-01-13 |
| | | Vishnu Kumar Mathur | 21-01-13 |
| Banwari Lal Sharma | 21-01-13 | | |
| 10 | Sikkim | P.C. Kuriakose (As Chief Justice) | 28-03-13 |
| 11 | Tripura | Deepak Gupta (As Chief Justice) | 23-03-13 |
| | | Utpalendu Bikas Saha# | 23-03-13 |
| | | Swapan Chandra Das# | 23-03-13 |
| | | Subhasis Talapatra# | 23-03-13 |

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

Ceased to be Judge of the Gauhati High Court and became Judge of the new High Court pursuant to the coming into force of the North-Eastern Areas (Re-organisation) and Other Related Laws (Amendment) Act, 2012.

TRANSFERS BETWEEN THE HIGH COURTS
(From 01-01-2013 to 31-03-2013)

| S.No. | From | To | Name of the Hon'ble Judge | Date of Transfer |
|-------|-----------|-------------|---------------------------|------------------|
| 1 | Allahabad | Madras | Rajesh Kumar Agrawal | 07-02-13 |
| 2 | Jharkhand | Uttarakhand | Alok Singh | 26-02-13 |

- 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 31-03-2013)

| Sanctioned Strength | Working strength | Vacancies |
|---------------------|------------------|-----------|
| 31 | 28 | 03 |

B) HIGH COURTS (As on 31-03-2013)

| S.No. | Name of the High Court | Sanctioned Strength | Working Strength | Vacancies |
|--------------|------------------------|---------------------|------------------|------------|
| 1 | Allahabad | 160 | 87 | 73 |
| 2 | Andhra Pradesh | 49 | 29 | 20 |
| 3 | Bombay | 75 | 52 | 23 |
| 4 | Calcutta | 58 | 37 | 21 |
| 5 | Chhatisgarh | 18 | 11 | 7 |
| 6 | Delhi | 48 | 35 | 13 |
| 7 | Gujarat | 42 | 28 | 14 |
| 8(a) | Gauhati | 24 | 15 | 9 |
| 8(b) | Meghalaya | 3 | 3 | 0 |
| 8(c) | Manipur | 4 | 2 | 2 |
| 8(d) | Tripura | 4 | 4 | 0 |
| 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 | 32 | 11 |
| 15 | Madras | 60 | 47 | 13 |
| 16 | Orissa | 22 | 13 | 9 |
| 17 | Patna | 43 | 34 | 9 |
| 18 | Punjab & Haryana | 68 | 43 | 25 |
| 19 | Rajasthan | 40 | 31 | 9 |
| 20 | Sikkim | 3 | 2 | 1 |
| 21 | Uttarakhand | 9 | 9 | 0 |
| TOTAL | | 906 | 611 | 295 |

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

C) DISTRICT & SUBORDINATE COURTS (As on 31-12-2012)

| S.No. | State / Union Territory | Sanctioned Strength | Working Strength | Vacancies |
|--------------|--------------------------------|----------------------------|-------------------------|------------------|
| 1 | Uttar Pradesh | 2108 | 1782 | 326 |
| 2 | Andhra Pradesh | 840 | 716 | 124 |
| 3(a) | Maharashtra | 2026 | 1755 | 271 |
| 3(b) | Goa | 49 | 42 | 7 |
| 3(c) | Diu and Daman & Silvassa | 7 | 7 | 0 |
| 4(a) | West Bengal | 933 | 836 | 97 |
| 4(b) | Andaman & Nicobar | 9 | 9 | 0 |
| 5 | Chhatisgarh | 295 | 266 | 29 |
| 6 | Delhi | 628 | 465 | 163 |
| 7 | Gujarat | 1028 | 897 | 131 |
| 8(a) | Assam | 389 | 239 | 150 |
| 8(b) | Nagaland | 29 | 23 | 6 |
| 8(c) | Meghalya | 36 | 20 | 16 |
| 8(d) | Manipur | 32 | 27 | 5 |
| 8(e) | Tripura | 92 | 68 | 24 |
| 8(f) | Mizoram | 65 | 33 | 32 |
| 8(g) | Arunachal Pradesh | 5 | 2 | 3 |
| 9 | Himachal Pradesh | 132 | 119 | 13 |
| 10 | Jammu & Kashmir | 206 | 184 | 22 |
| 11 | Jharkhand | 503 | 398 | 105 |
| 12 | Karnataka | 1090 | 751 | 339 |
| 13(a) | Kerala | 415 | 387 | 28 |
| 13(b) | Lakshadweep | 3 | 1 | 2 |
| 14 | Madhya Pradesh | 1317 | 1158 | 159 |
| 15(a) | Tamil Nadu | 899 | 867 | 32 |
| 15(b) | Puducherry | 21 | 12 | 9 |
| 16 | Orissa | 628 | 535 | 93 |
| 17 | Bihar | 1487 | 930 | 557 |
| 18(a) | Punjab | 531 | 446 | 85 |
| 18(b) | Haryana | 528 | 437 | 91 |
| 18(c) | Chandigarh | 20 | 20 | 0 |
| 19 | Rajasthan | 1082 | 726 | 356 |
| 20 | Sikkim | 17 | 10 | 7 |
| 21 | Uttarakhand | 265 | 185 | 80 |
| TOTAL | | 17715 | 14353 | 3362 |

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

INSTITUTION, DISPOSAL AND PENDENCY OF CASES IN THE SUPREME COURT

[01-01-2013 to 31-03-2013]

i) Table I

| | | | | | | Pendency (At the end of 31-12-2012) | | |
|---|-----------------|---------------|--|-----------------|---------------|--|-----------------|---------------|
| | | | | | | Admission matters | Regular matters | Total matters |
| | | | | | | 37,659 | 29,033 | 66,692 |
| Institution (01-01-2013 to 31-03-2013) | | | Disposal (01-01-2013 to 31-03-2013) | | | Pendency (At the end of 31-03-2013) | | |
| Admission matters | Regular matters | Total matters | Admission matters | Regular matters | Total matters | Admission matters | Regular matters | Total matters |
| 19249 | 2093 | 21342 | 18903 | 1811 | 20714 | 38005 | 29,315 | 67,320 |

Note:

1. Out of the 67,320 pending matters as on 31-03-2013, if connected matters are excluded, the pendency is only of 38,048 matters as on 31-03-2013.
2. Out of the said 67,320 pending matters, 21,574 matters are upto one year old and thus arrears (i.e. cases pending more than a year) are only of 45,746 matters as on 31-03-2013.

ii) Table II

| | Opening Balance As On 01-01-13 | Institution From 01-01-13 To 31-03-13 | Disposal From 01-01-13 To 31-03-13 | Pendency at the end of 31-03-13 |
|-------------------|---------------------------------------|--|---|--|
| CIVIL CASES | 54,316 | 15,927 | 15,290 | 54,953 |
| CRIMINAL CASES | 12,376 | 5,415 | 5,424 | 12,367 |
| ALL CASES (TOTAL) | 66,692 | 21,342 | 20,714 | 67,320 |

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

A) HIGH COURTS (FROM 01-10-12 TO 31-12-12)

| 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 1-10-12 | % of Disposal of Cases w.r.t Opening Balance as on 1-10-12 | % Increase or Decrease in Pendency w.r.t Opening Balance as on 1-10-12 |
|--------|------------------------|---|--------|---------------|--|--------|---------------|---------------------------------------|--------|---------------|--|--------|---------------|---|--|--|
| | | CIVIL | CRL. | (CIV. + CRL.) | CIVIL | CRL. | (CIV. + CRL.) | CIVIL | CRL. | (CIV. + CRL.) | CIVIL | CRL. | (CIV. + CRL.) | | | |
| 1 | Allahabad | 675450 | 324417 | 999867 | 34298 | 28907 | 63205 | 30802 | 23591 | 54393 | 678946 | 329733 | 1008679 | 6.32 | 5.44 | 0.88 |
| 2 | Andhra Pradesh | 182431 | 26269 | 208700 | 16527 | 3636 | 20163 | 14550 | 4212 | 18762 | 184408 | 25693 | 210101 | 9.66 | 8.99 | 0.67 |
| 3 | Bombay | 324427 | 48380 | 372807 | 25245 | 7689 | 32934 | 56503 | 7269 | 63772 | 293169 | 48800 | 341969 | 8.83 | 17.11 | -8.27 |
| 4 | Calcutta | 311575 | 45865 | 357440 | 13672 | 6042 | 19714 | 9803 | 5220 | 15023 | 315444 | 46687 | 362131 | 5.52 | 4.20 | 1.31 |
| 5 | Chhatisgarh | 33702 | 16932 | 50634 | 4023 | 1755 | 5778 | 3778 | 2159 | 5937 | 33947 | 16528 | 50475 | 11.41 | 11.73 | -0.31 |
| 6 | Delhi | 48051 | 14520 | 62571 | 5183 | 2311 | 7494 | 5476 | 2237 | 7713 | 47758 | 14594 | 62352 | 11.98 | 12.33 | -0.35 |
| 7 | Gujarat | 47979 | 28616 | 76595 | 7374 | 6209 | 13583 | 8721 | 5448 | 14169 | 46632 | 29377 | 76009 | 17.73 | 18.50 | -0.77 |
| 8 | Gauhati | 43615 | 8556 | 52171 | 4935 | 3356 | 8291 | 4451 | 3138 | 7589 | 44099 | 8774 | 52873 | 15.89 | 14.55 | 1.35 |
| 9 | Himachal Pradesh | 47510 | 5437 | 52947 | 9984 | 893 | 10877 | 7492 | 735 | 8227 | 50002 | 5595 | 55597 | 20.54 | 15.54 | 5.01 |
| 10 | Jammu & Kashmir | 77144 | 3825 | 80969 | 8002 | 920 | 8922 | 7019 | 566 | 7585 | 78127 | 4179 | 82306 | 11.02 | 9.37 | 1.65 |
| 11 | Jharkhand | 30858 | 29417 | 60275 | 3184 | 5068 | 8252 | 2348 | 4222 | 6570 | 31694 | 30263 | 61957 | 13.69 | 10.90 | 2.79 |
| 12 | Karnataka | 158778 | 15950 | 174728 | 29529 | 3245 | 32774 | 21227 | 2423 | 23650 | 167080 | 16772 | 183852 | 18.76 | 13.54 | 5.22 |
| 13 | Kerala | 90270 | 31682 | 121952 | 15054 | 4625 | 19679 | 12444 | 5126 | 17570 | 92880 | 31181 | 124061 | 16.14 | 14.41 | 1.73 |
| 14 | Madhya Pradesh | 168220 | 80463 | 248683 | 16740 | 10618 | 27358 | 17385 | 10499 | 27884 | 167575 | 80582 | 248157 | 11.00 | 11.21 | -0.21 |
| 15 | Madras | 433157 | 61641 | 494798 | 45609 | 21718 | 67327 | 41697 | 20054 | 61751 | 437069 | 63305 | 500374 | 13.61 | 12.48 | 1.13 |
| 16 | Orissa | 289776 | 32463 | 322239 | 16645 | 12193 | 28838 | 7019 | 11148 | 18167 | 299402 | 33508 | 332910 | 8.95 | 5.64 | 3.31 |
| 17 | Patna | 68923 | 45706 | 114629 | 8014 | 13282 | 21296 | 4997 | 11737 | 16734 | 71940 | 47251 | 119191 | 18.58 | 14.60 | 3.98 |
| 18 | Punjab & Haryana | 194697 | 54067 | 248764 | 15740 | 13468 | 29208 | 14622 | 12230 | 26852 | 195815 | 55305 | 251120 | 11.74 | 10.79 | 0.95 |
| 19 | Rajasthan | 228832 | 57779 | 286611 | 23475 | 10443 | 33918 | 19261 | 8717 | 27978 | 233046 | 59505 | 292551 | 11.83 | 9.76 | 2.07 |
| 20 | Sikkim | 52 | 9 | 61 | 12 | 17 | 29 | 12 | 15 | 27 | 52 | 11 | 63 | 47.54 | 44.26 | 3.28 |
| 21 | Uttarakhand | 14178 | 6242 | 20420 | 1976 | 1487 | 3463 | 2224 | 1472 | 3696 | 13930 | 6257 | 20187 | 16.96 | 18.10 | -1.14 |
| Total | | 3469625 | 938236 | 4407861 | 305221 | 157882 | 463103 | 291831 | 142218 | 434049 | 3483015 | 953900 | 4436915 | 10.51 | 9.85 | 0.66 |

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

B) DISTRICT AND SUBORDINATE COURTS (FROM 01-10-12 TO 31-12-12)

| 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 1-10-12 | % of Disposal of Cases w.r.t Opening Balance as on 1-10-12 | % Increase or Decrease in Pending w.r.t Opening Balance as on 1-10-12 |
|--------|------------------------|---|----------|---------------|--|---------|---------------|---------------------------------------|---------|---------------|--|----------|---------------|---|--|---|
| | | CIVIL | CRL. | (CIV. + CRL.) | CIVIL | CRL. | (CIV. + CRL.) | CIVIL | CRL. | (CIV. + CRL.) | CIVIL | CRL. | (CIV. + CRL.) | | | |
| 1 | Uttar Pradesh | 1376242 | 4388330 | 5764572 | 130746 | 497812 | 628558 | 115943 | 484856 | 600799 | 1391045 | 4401286 | 5792331 | 10.90 | 10.42 | 0.48 |
| 2 | Andhra Pradesh | 455095 | 467412 | 922507 | 61691 | 75758 | 137449 | 60894 | 74119 | 135013 | 455892 | 469051 | 924943 | 14.90 | 14.64 | 0.26 |
| 3(a) | Maharashtra | 980846 | 1955341 | 2936187 | 129735 | 272431 | 402166 | 87576 | 273471 | 361047 | 1023005 | 1954301 | 2977306 | 13.70 | 12.30 | 1.40 |
| 3(b) | Goa | 18036 | 12092 | 30128 | 3237 | 5558 | 8795 | 3029 | 5763 | 8792 | 18244 | 11887 | 30131 | 29.19 | 29.18 | 0.01 |
| 3(c) | Diu and Daman | 918 | 839 | 1757 | 191 | 214 | 405 | 210 | 191 | 401 | 899 | 862 | 1761 | 23.05 | 22.82 | 0.23 |
| 3(d) | Silvassa | 735 | 2382 | 3117 | 73 | 281 | 354 | 293 | 434 | 727 | 515 | 2229 | 2744 | 11.36 | 23.32 | -11.97 |
| 4(a) | West Bengal | 529593 | 2115414 | 2645007 | 22622 | 210128 | 232750 | 17588 | 201355 | 218943 | 534627 | 2124187 | 2658814 | 8.80 | 8.28 | 0.52 |
| 4(b) | Andaman & Nicobar | 2252 | 9653 | 11905 | 223 | 1488 | 1711 | 155 | 1707 | 1862 | 2320 | 9434 | 11754 | 14.37 | 15.64 | -1.27 |
| 5 | Chhatisgarh | 59607 | 208921 | 268528 | 5992 | 42239 | 48231 | 5368 | 38868 | 44236 | 60231 | 212292 | 272523 | 17.96 | 16.47 | 1.49 |
| 6 | Delhi | 144480 | 527881 | 672361 | 20517 | 175530 | 196047 | 22880 | 188941 | 211821 | 142117 | 514470 | 656587 | 29.16 | 31.50 | -2.35 |
| 7 | Gujarat | 651950 | 1533557 | 2185507 | 32130 | 183710 | 215840 | 42960 | 183696 | 226656 | 641120 | 1533571 | 2174691 | 9.88 | 10.37 | -0.49 |
| 8(a) | Assam | 69650 | 189260 | 258910 | 10809 | 42972 | 53781 | 9825 | 49438 | 59263 | 70634 | 182794 | 253428 | 20.77 | 22.89 | -2.12 |
| 8(b) | Nagaland | 1654 | 2179 | 3833 | 224 | 175 | 399 | 319 | 327 | 646 | 1559 | 2027 | 3586 | 10.41 | 16.85 | -6.44 |
| 8(c) | Meghalaya | 1966 | 2525 | 4491 | 188 | 353 | 541 | 249 | 680 | 929 | 1905 | 2198 | 4103 | 12.05 | 20.69 | -8.64 |
| 8(d) | Manipur | 5501 | 8885 | 14386 | 893 | 2401 | 3294 | 1036 | 2457 | 3493 | 5358 | 8829 | 14187 | 22.90 | 24.28 | -1.38 |
| 8(e) | Tripura | 8061 | 37816 | 45877 | 1835 | 37051 | 38886 | 1494 | 27374 | 28868 | 8402 | 47493 | 55895 | 84.76 | 62.92 | 21.84 |
| 8(f) | Mizoram | 1592 | 2432 | 4024 | 1670 | 1655 | 3325 | 1762 | 2018 | 3780 | 1500 | 2069 | 3569 | 82.63 | 93.94 | -11.31 |
| 8(g) | Arunachal Pradesh | 900 | 5302 | 6202 | 295 | 1523 | 1818 | 308 | 1512 | 1820 | 887 | 5313 | 6200 | 29.31 | 29.35 | -0.03 |
| 9 | Himachal Pradesh | 79390 | 130377 | 209767 | 13600 | 50145 | 63745 | 13574 | 35375 | 48949 | 79416 | 145147 | 224563 | 30.39 | 23.33 | 7.05 |
| 10 | Jammu & Kashmir | 78005 | 137523 | 215528 | 13638 | 55988 | 69626 | 17531 | 76479 | 94010 | 74112 | 117032 | 191144 | 32.30 | 43.62 | -11.31 |
| 11 | Jharkhand | 62813 | 238509 | 301322 | 3848 | 21190 | 25038 | 2445 | 24650 | 27095 | 64216 | 235049 | 299265 | 8.31 | 8.99 | -0.68 |
| 12 | Karnataka | 574693 | 560093 | 1134786 | 67557 | 172116 | 239673 | 64620 | 171136 | 235756 | 577630 | 561073 | 1138703 | 21.12 | 20.78 | 0.35 |
| 13(a) | Kerala | 392403 | 754329 | 1146732 | 190381 | 246331 | 436712 | 131796 | 211484 | 343280 | 450988 | 789176 | 1240164 | 38.08 | 29.94 | 8.15 |
| 13(b) | Lakshadweep | 80 | 145 | 225 | 60 | 11 | 71 | 1 | 4 | 5 | 139 | 152 | 291 | 31.56 | 2.22 | 29.33 |
| 14 | Madhya Pradesh | 247503 | 930654 | 1178157 | 34222 | 278581 | 312803 | 42979 | 356760 | 399739 | 238746 | 852475 | 1091221 | 26.55 | 33.93 | -7.38 |
| 15(a) | Tamil Nadu | 762907 | 464419 | 1227326 | 229016 | 145578 | 374594 | 213287 | 156164 | 369451 | 778636 | 453833 | 1232469 | 30.52 | 30.10 | 0.42 |
| 15(b) | Puducherry | 13885 | 14130 | 28015 | 4606 | 3333 | 7939 | 4005 | 3008 | 7013 | 14486 | 14455 | 28941 | 28.34 | 25.03 | 3.31 |
| 16 | Orissa | 223439 | 956159 | 1179598 | 14308 | 68201 | 82509 | 10296 | 66048 | 76344 | 227451 | 958312 | 1185763 | 6.99 | 6.47 | 0.52 |
| 17 | * Bihar | 266139 | 1415796 | 1681935 | 13485 | 77767 | 91252 | 10002 | 51764 | 61766 | 269623 | 1441757 | 1711380 | 5.43 | 3.67 | 1.75 |
| 18(a) | Punjab | 272906 | 267886 | 540792 | 63763 | 141043 | 204806 | 68224 | 140310 | 208534 | 268445 | 268619 | 537064 | 37.87 | 38.56 | -0.69 |
| 18(b) | Haryana | 249902 | 300678 | 550580 | 43541 | 135642 | 179183 | 43733 | 121745 | 165478 | 249710 | 314575 | 564285 | 32.54 | 30.06 | 2.49 |
| 18(c) | Chandigarh | 23660 | 31571 | 55231 | 2612 | 29988 | 32600 | 3453 | 34423 | 37876 | 22819 | 27136 | 49955 | 59.02 | 68.58 | -9.55 |
| 19 | Rajasthan | 414519 | 1020106 | 1434625 | 53612 | 236140 | 289752 | 52387 | 225861 | 278248 | 415744 | 1030385 | 1446129 | 20.20 | 19.40 | 0.80 |
| 20 | Sikkim | 377 | 717 | 1094 | 117 | 329 | 446 | 114 | 350 | 464 | 380 | 696 | 1076 | 40.77 | 42.41 | -1.65 |
| 21 | Uttarakhand | 31909 | 132684 | 164593 | 5912 | 42155 | 48067 | 6229 | 41936 | 48165 | 31592 | 132903 | 164495 | 29.20 | 29.26 | -0.06 |
| | Total | 8003608 | 18825997 | 26829605 | 1177349 | 3255817 | 4433166 | 1056565 | 3254704 | 4311269 | 8124393 | 18827068 | 26951461 | 16.52 | 16.07 | 0.45 |

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

★ 1 civil case received & 42 criminal cases amalgamated/transferred

**SOME SUPREME COURT JUDGMENTS OF
PUBLIC IMPORTANCE
(01-01-2013 to 31-03-2013)**

1. On 2nd January, 2013, in the case of State of Gujarat & Anr. v. Hon'ble Mr. Justice R.A. Mehta (Retd) & Ors. [Civil Appeal Nos. 8814-8815 of 2012], legal issues of great public importance were examined by the Court. These related to the meaning of the term 'consultation' contained in Section 3 of the Gujarat Lokayukta Act, 1986 (which provides for the appointment of a Lokayukta, who must be a retired Judge of the High Court), and also whether the opinion of the Chief Justice has primacy with respect to the appointment of the Lokayukta. The Court held that "the appointment of the Lokayukta can be made by the Governor, as the Head of the State, only with the aid and advice of the Council of Ministers, and not independently as a Statutory Authority."

In the instant case, the Bench held that "the Governor consulted the Attorney General of India for legal advice, and communicated with the Chief Justice of the Gujarat High Court directly, without taking into confidence, the Council of Ministers. In this respect, she was wrongly advised to the effect that she had to act as a statutory authority and not as the Head of the State." However in light of the facts and circumstances of the present case, it is evident that the Chief Minister had full information and was in receipt of all communications from the Chief Justice, whose opinion is to be given primacy as regards such matters, and can only be overlooked, for cogent reasons. The recommendation of the Chief Justice suggesting only one name, instead of a panel of names, is in consonance with the law laid down by this Court", and there was no "cogent reason to not give effect to the said recommendation." It was further held that "the objections raised by the Chief Minister, have been duly considered by the Chief Justice, as well as by this Court", and "none of them are tenable, to the extent that any of them may be labeled as cogent reason(s), for the purpose of discarding the recommendation of the name of respondent no.1, for appointment to the post of Lokayukta."

The Bench held that "there are sufficient safeguards in the Statute itself, to take care of the pre-conceived notions in the mind, or the bias, of the Lokayukta, and so far as the suitability of the person to be appointed as Lokayukta is concerned, the same is to be examined, taking into consideration the interests of the people at large, and not those of any individual" and the facts made "it clear that the process of consultation stood complete, and in such a situation, the appointment of respondent no.1 cannot be held to be illegal."

2. On 8th January, 2013, in the case of Subhash Chand v. State (Delhi Administration) [Criminal Appeal No.50 of 2013] the question as to whether in a complaint case, an appeal filed against an order of acquittal shall lie to the Sessions Court under Section 378(1) Cr PC or under Section 378(4) CrPC to the High Court was examined. It was held that "a complainant can file an application for special leave to appeal against an order of acquittal of any kind only to the High Court. He cannot file such appeal in the Sessions Court." In the instant case the complaint alleging offences punishable under Section 16(1)(1A) read with Section 7 of the

Prevention of Food Adulteration Act, 1954 and the Prevention of Food Adulteration Rules, 1955 was filed by complainant Shri Jaiswal, Local Health Authority through Delhi Administration and the appellant was acquitted by the Metropolitan Magistrate, Patiala House Courts, New Delhi. The Bench held that "the complainant can challenge the order of acquittal by filing an application for special leave to appeal in the Delhi High Court and not in the Sessions Court" and "therefore, the impugned order holding that this case is not governed by Section 378(4) CrPC" was quashed and set aside.

3. On 21st January, 2013, in the case of Deepak Aggarwal v. Keshav Kaushik and others [Civil Appeal No.561 of 2013], it was held that "a Public Prosecutor is not a mouth-piece of the investigating agency" and "even though Public Prosecutor/Assistant Public Prosecutor is in full-time employment with the government and is subject to disciplinary control of the employer, but once he appears in the court for conduct of a case or prosecution, he is guided by the norms consistent with the interest of justice." In the instant case, all the five private appellants - Assistant District Attorney, Public Prosecutor and Deputy Advocate General were appearing on behalf of their respective States primarily in criminal/civil cases and their appointments were basically under the C.P.C. or Cr.P.C and each one of them continued to be enrolled with the respective State Bar Council. The Bench held that "none of the five private appellants, on their appointment as Assistant District Attorney/Public Prosecutor/Deputy Advocate General, ceased to be 'Advocate' and since each one of them continued to be 'Advocate', they cannot be considered to be in the service of the Union or the State within the meaning of Article 233(2) of the Constitution".
4. On 29th January, 2013, in the case of Noor Mohammed v. Jethanand and another [Special Leave Petition (C) No. 25848 of 2011], the Court held that "it is the duty of the counsel as the officer of the court to assist the court in a properly prepared manner and not to seek unnecessary adjournments." It was held that "getting an adjournment is neither an art nor science; that it has never been appreciated by the courts" and "all who are involved in the justice dispensation system, which includes the Judges, the lawyers, the judicial officers who work in courts, the law officers of the State, the Registry and the litigants, have to show dedicated diligence so that a controversy is put to rest." The Bench emphasized that "a time has come when all concerned are required to abandon idleness and arouse oneself and see to it that the syndrome of delay does not erode the concept of dispensation of expeditious justice which is the constitutional command." The Bench further asked the Chief Justice of the High Court of Rajasthan as well as the other Chief Justices "to conceive and adopt a mechanism, regard being had to the priority of cases", to avoid "inordinate delays in matters which can really be dealt with in an expeditious manner."
5. On 29th January, 2013, in the case of Saraswati Devi (D) By LR. v. Delhi Devt. Authority & Ors. [Civil Appeal No. 4373 of 2009], the Court laid down the following three propositions of law with regard to acquisition of evacuee property:-
 - (i) "At the time of acquisition of evacuee property under Section 12 of the the Displaced Persons (Compensation and Rehabilitation) Act, 1954 if such property has interest of

a private person, the interest of private person can be acquired under the Land Acquisition Act, 1894 even though the land is owned by the government."

- (ii) "The properties that vest in the Custodian as evacuee properties can be acquired for some other public purpose."
- (iii) "When a challenge is laid to the acquisition of the land at a belated stage then if the court is inclined to allow such a belated challenge, it must first satisfy itself that the person challenging acquisition has title to the land."

6. On 14th February, 2013, in the case of Surender Kaushik and others v. State of Uttar Pradesh and others [Criminal Appeal No.305 of 2013], it was held that the "lodgment of two FIRs is not permissible in respect of one and the same incident. The concept of sameness has been given a restricted meaning. It does not encompass filing of a counter FIR relating to the same or connected cognizable offence. What is prohibited is any further complaint by the same complainant and others against the same accused subsequent to the registration of the case under the CrPC, for an investigation in that regard would have already commenced and allowing registration of further complaint would amount to an improvement of the facts mentioned in the original complaint." The Court further held that "the prohibition does not cover the allegations made by the accused in the first FIR alleging a different version of the same incident. Thus, rival versions in respect of the same incident do take different shapes and in that event, lodgment of two FIRs is permissible."
7. On 21st February, 2013, in the case of M/s A.S. Motors Pvt. Ltd. v. Union of India & Ors. [Civil Appeal No.1517 of 2013] it was held that "an aggrieved party is entitled to receive compensation from the party who has broken the contract whether or not actual damage or loss is proved to have been caused by the breach and that the Court has, subject to the outer limit of the penalty stipulated, jurisdiction to award such compensation as it deems reasonable having regard to the circumstances of the case. This would essentially be a mixed question of law and fact that a Writ Court could not possibly decide." In the instant case, it was held that "the appellant could and indeed ought to have sought its remedies in a proper civil action if it questioned the reasonableness of the amount recoverable by the appellant in terms of the contractual stipulations."
8. On 22nd February, 2013, in the case of K. Srinivas Rao v. D.A. Deepa [Civil Appeal No.1794 of 2013], it was held that "though offence punishable under Section 498-A of the IPC is not compoundable, in appropriate cases if the parties are willing and if it appears to the criminal court that there exist elements of settlement, it should direct the parties to explore the possibility of settlement through mediation." The Bench held that "during mediation, the parties can either decide to part company on mutually agreed terms or they may decide to patch up and stay together. In either case for the settlement to come through, the complaint will have to be quashed. In that event, they can approach the High Court and get the complaint quashed. If, however, they chose not to settle, they can proceed with the complaint. In this exercise, there is no loss to anyone. If there is settlement, the parties will be saved from the trials and tribulations of a criminal case and that will reduce the burden on the

courts which will be in the larger public interest." The Bench clarified that "reduction of burden of cases on the courts will, however, be merely an incidental benefit and not the reason for sending the parties for mediation." Recognizing 'mediation' as an effective method of alternative dispute resolution in matrimonial matters, the following directions were issued for the courts dealing with matrimonial matters:-

- (a) "In terms of Section 9 of the Family Courts Act, the Family Courts shall make all efforts to settle the matrimonial disputes through mediation. Even if the Counsellors submit a failure report, the Family Courts shall, with the consent of the parties, refer the matter to the mediation centre. In such a case, however, the Family Courts shall set a reasonable time limit for mediation centres to complete the process of mediation because otherwise the resolution of the disputes by the Family Court may get delayed. In a given case, if there is good chance of settlement, the Family Court in its discretion, can always extend the time limit."
 - (b) "The criminal courts dealing with the complaint under Section 498-A of the IPC should, at any stage and particularly, before they take up the complaint for hearing, refer the parties to mediation centre if they feel that there exist elements of settlement and both the parties are willing. However, they should take care to see that in this exercise, rigour, purport and efficacy of Section 498-A of the IPC is not diluted" and "the discretion to grant or not to grant bail is not in any way curtailed by this direction. It will be for the concerned court to work out the modalities taking into consideration the facts of each case."
 - (c) "All mediation centres shall set up pre-litigation desks/clinics; give them wide publicity and make efforts to settle matrimonial disputes at pre-litigation stage."
9. On 27th February, 2013, in the case of Esha Ekta Apartments Co-operative Housing Society Limited and others v. Municipal Corporation of Mumbai and others [Civil Appeal No. 7934 of 2012], it was held that "no authority administering municipal laws and other similar laws can encourage violation of the sanctioned plan. The Courts are also expected to refrain from exercising equitable jurisdiction for regularization of illegal and unauthorized constructions else it would encourage violators of the planning laws and destroy the very idea and concept of planned development of urban as well as rural areas." In the instant case, the Bench found it evident that the Maharashtra Ownership Flats (Regulation of the Promotion of Construction, Sale, Management and Transfer) Act, 1963 obligates "the promoter to obtain sanctions and approvals from the concerned authority and disclose the same to the flat buyers" and also provides "for imposition of penalty on the promoters. It was held that "the provisions contained therein do not entitle the flat buyers to seek a mandamus for regularization of the unauthorized/illegal construction."
 10. On 8th March, 2013, in the case of G.M. Siddeshwar v. Prasanna Kumar [Civil Appeal Nos. 2250-2251 of 2013] the principal question of law which arose for consideration was whether, to maintain an election petition, it is imperative for an election petitioner to file an affidavit in terms of Order VI Rule 15(4) of the Code of Civil Procedure, 1908 in support of the averments made in the election petition in addition to an affidavit (in a case where resort to corrupt

practices have been alleged against the returned candidate) as required by the proviso to Section 83(1) of the Representation of the People Act, 1951. The Bench held that there is no such mandate in the Representation of the People Act, 1951. Another question that arose for consideration was that if an affidavit filed in support of the allegations of corrupt practices of a returned candidate is not in the statutory Form No. 25 prescribed by the Conduct of Election Rules, 1961, whether the election petition is liable to be summarily dismissed. It was held that "as long as there is substantial compliance with the statutory form, there is no reason to summarily dismiss an election petition on this ground. However, an opportunity must be given to the election petitioner to cure the defect. Further, merely because the affidavit may be defective, it cannot be said that the petition filed is not an election petition as understood by the Representation of the People Act, 1951."

11. On 11th March, in the case of State of U.P. v. Hari Ram [Civil Appeal No. 2326 of 2013], the question which arose for consideration was whether the deemed vesting of surplus land under Section 10(3) of the Urban Land (Ceiling and Regulation) Act, 1976 [for short 'the Act'] would amount to taking de facto possession depriving the land holders of the benefit of the saving Clause under Section 3 of the Urban Land (Ceiling and Regulation) Repeal Act, 1999 [for short 'the Repeal Act']. The Bench held that "the mere vesting of the land under sub-section (3) of Section 10 of the Act would not confer any right on the State Government to have de facto possession of the vacant land unless there has been a voluntary surrender of vacant land before 18.3.1999 [on which date the Repeal Act was adopted in the State of U.P.]. State has to establish that there has been a voluntary surrender of vacant land or surrender and delivery of peaceful possession under sub-section (5) of Section 10 or forceful dispossession under sub-section (6) of Section 10. On failure to establish any of those situations, the land owner or holder can claim the benefit of Section 3 of the Repeal Act." In the instant case, the Bench held that the State Government "could not establish any of those situations and hence the High Court is right in holding that the respondent is entitled to get the benefit of Section 3 of the Repeal Act." It was held that "no documents have been produced by the State to show that the respondents had been dispossessed before coming into force of the Repeal Act and hence, the respondents are entitled to get the benefit of Section 3 of the Repeal Act."
12. On 15th March, 2013, in the case of Jitendra Raghuvanshi & Ors. v. Babita Raghuvanshi & Anr. [Criminal Appeal No.447 of 2013], a three Judge Bench held that "the High Court in exercise of its inherent powers can quash the criminal proceedings or FIR or complaint in appropriate cases in order to meet the ends of justice and Section 320 CrPC does not limit or affect the powers of the High Court under Section 482 CrPC".
13. On 15th March, 2013, in the case of Niranjana Hemchandra Sashittal and another v. State of Maharashtra [Writ petition (Crl.) No. 50 of 2012], it was held that "no time limit can be stipulated for disposal of the criminal trial. The delay caused has to be weighed on the factual score, regard being had to the nature of the offence and the concept of social justice and the cry of the collective." In the case at hand, the appellant was charge-sheeted under the

Prevention of Corruption Act, 1988 for disproportionate assets. The Bench held that "the gravity of the offence in such a case is not to be adjudged on the bedrock of the quantum of bribe. An attitude to abuse the official position to extend favour in lieu of benefit is a crime against the collective and an anathema to the basic tenet of democracy, for it erodes the faith of the people in the system. It creates an incurable concavity in the Rule of Law. If corruptions are allowed to continue by giving allowance to quash the proceedings in corruption cases solely because of delay without scrutinizing other relevant factors, a time may come when the unscrupulous people would foster and garner the tendency to pave the path of anarchism." In the instant case, the Bench held that "delay has occurred due to dilatory tactics adopted by the accused, laxity on the part of the prosecution and faults on the part of the system, i.e., to keep the court vacant" and "though there was no order directing stay of the proceedings before the trial court, yet at the instance of the accused, adjournments were sought. After the High Court clarified the position, the accused, by exhibition of inherent proclivity, sought adjournment and filed miscellaneous applications for prolonging the trial". It was held that when delay is caused on the said score, the accused "cannot advance a plea that the delay in trial has caused colossal hardship and agony warranting quashment of the entire criminal proceeding." "In the present case, the accused, as alleged, had acquired assets worth Rs. 33.44 lacs" and the "value of the said amount at the time of launching of the prosecution has to be kept in mind". Holding that the balance to continue the proceeding against the accused-appellants tilts in favour of the prosecution, the Bench declined to exercise the jurisdiction under Article 32 of the Constitution to quash the proceedings.

14. On 22nd March, 2013, in the case of Dayanand Anglo Vedic (DAV) College Trust and Management Society v. State of Maharashtra & Anr. [Civil Appeal No.2678 of 2013], it was held that the "minorities in India have a right to establish and administer educational institutions of their choice and the State Government or the Universities cannot interfere with the day-to-day management of such institutions by the members of minority community. At the same time, "though Article 30 of the Constitution itself does not lay down any limitation upon the right of a minority to administer its educational institution but this right is not absolute. This is subject to reasonable regulations for the benefit of the institution. The State Government and Universities can issue directions from time to time for the maintenance of the standard and excellence of such institution which is necessary in the national interest." In the case at hand, the Bench held that "in order to claim minority/linguistic status for an institution in any State, the authorities must be satisfied firstly that the institution has been established by the persons who are minority in such State; and, secondly, the right of administration of the said minority linguistic institution is also vested in those persons who are minority in such State. The right conferred by Article 30 of the Constitution cannot be interpreted as if irrespective of the persons who established the institution in the State for the benefit of persons who are minority, any person, be it non-minority in other place, can administer and run such institution."

SOME RECENT MAJOR EVENTS AND THE INITIATIVES (01-01-2013 to 31-03-2013)

I. MAJOR ACTIVITIES OF NATIONAL LEGAL SERVICES AUTHORITY (NALSA):

MEET OF THE HON'BLE EXECUTIVE CHAIRPERSONS & MEMBER SECRETARIES OF STATE LEGAL SERVICES AUTHORITIES : National Legal Services Authority in association with Department of Justice, Ministry of Law & Justice, Govt. of India and UNDP organised a Meeting of the Hon'ble Executive Chairpersons and Member Secretaries of the State Legal Services Authorities on 24th February, 2013 at India Habitat Centre, New Delhi to discuss the UNDP project 'Access to Justice for marginalised People'. The meeting was chaired by Hon'ble Mr. Justice P. Sathasivam, Judge, Supreme Court of India and Executive Chairman, NALSA.

INTERNATIONAL WOMEN'S DAY 2013: On the directions of NALSA, the State Legal Services Authorities observed the International Women's Day on 8th March, 2013. On this occasion various programmes were organized on women's rights and violence against women.

II. MAJOR ACTIVITIES OF NATIONAL JUDICIAL ACADEMY (NJA):

- a) National Conferences of High Court Judges:** Three programmes were held for the judges of the High Court in the months of January to March 2013. The first of which was the "National Conference of Newly Elevated Judges" held on January 12-13, 2013. It provided an opportunity for newly elevated High Court judges to discuss and deliberate on various issues relating to the problems faced by them while discharging their duties. Apart from that, they were able to share their experiences with the eminent sitting and former Chief Justices and judges from the Supreme Court. It further provided an occasion for newly elevated judges to meet their counterparts from different high courts across the country and exchange their views and experiences. The National Conference of High Court Judges on the problems relating to "Pendency and Arrears" was held during February 16-17, 2013. This conference offered a forum for the 22 High Court Judges to deliberate on new management techniques and effective strategies that can be adopted to deal with the problem of pendency and arrears. This conference enabled discussion on the causes of delay in the Indian judicial system and searched for remedies. The discussions were focused mainly on fixing priority of cases, judicial practices as causes of delay, superintendence of district courts etc. The National Conference of High Court Judges on "Constitutional Law and Administrative Law" held on March 16-17, 2013 highlighted to the High Court Judges the role played by them on the development of Constitutional Law and Administrative Law in the country. Critical perspectives on the development of Constitutional Law at the national level, having regard to contributions by the various High Courts and the Supreme Court during 2012 was presented before the participants.

- b) **National Conference of District Judges on Court Administration and Management:** The objective of this conference on "Court Administration and Management" held on February 9 & 10, 2013, was to provide a forum for the PDJs from different parts of the country to share their experiences on the adoption of the management techniques for achieving effective and efficient administration of courts in their respective districts. The main focus of the discussion was on the role of PDJs in the Indian judicial system, court administration, court management and the Role of Court Managers in the Judicial System.
- c) **National Conference of Presiding Officers of Special Courts:** There were three programmes in the series conceptualized for the Presiding Officers of Special Courts. The National Conference of the Principal Magistrates and Members of Juvenile Justice Boards was held from January 18 to 20, 2013. Under the guidance of efficient and experienced Resource Persons, the participants examined the functioning of the Juvenile Justice Boards in India and identified the challenges faced by them in their functioning, the areas for improvement in the functioning of Juvenile Justice Boards were further discussed and the various means to improve their performance was highlighted. The participants to this conference were able to share views and express their problems with their counterparts. During the National Conference of the Presiding Officers of Family Courts held on February 15-17, 2013, the 25 presiding officers of family courts were able to share views and express their problems with their counterparts. Apart from this, the functioning of these Courts in India and the challenges faced by them in their functioning were identified. The three day programme also concentrated on discussing and analyzing the approaches adopted by the Family Courts in settling disputes before them. Deliberations were held on the areas for improvement in the functioning of Family Courts and the means to improve the performance of these courts. The objective of the National Conference of the Presiding Officers of CBI Courts which was held on March 1-3, 2013 was to deliberate on issues relating to practice and procedure of CBI Courts. The programme facilitated exchange of best practices among the officers and offered them a forum to share and delve into the constraints faced by them. The presiding officers were also encouraged to look for remedies to the various constraints highlighted by them.
- d) **Regional Judicial Conferences:** The Regional Judicial conferences are held in collaboration with the State Judicial Academy of that particular zone and the High Court of that State. The central topic for this year's eight Regional Conferences is Criminal Justice Administration where in the main issues and challenges will be identified. Two conferences were held during February 22-24 and March 29-31, 2013, one in Patna, Bihar for the east zone and the other in Uttan, Maharastra for the west zone. The two Conferences explored the Constitutional underpinnings of the Criminal Justice Administration as well as provided a perspective to the participants on various rights available to the stakeholders such as the accused, victim, prisoners etc under the criminal justice system. During the East Zone Conference held at Patna, Bihar the Hon'ble Chief Justice of India delivered the keynote address on "The Role of Judges in the Administration of Criminal Justice".

- e) **National Conferences of Judges of the District Judiciary on Key Litigation Areas:** A set of five programmes under this series was formulated to take forward the goal of Enhancing the Quality of the Key functions of the judicial system. Three programmes were already conducted during the months of August, September and November, 2012. The details of the remaining two programmes are given hereunder: The National Conference of Judges of the District Judiciary on Children and Laws was held from January 18 - 20, 2013. The break-out group discussions identified and analyzed the constraints and challenges faced by judges in dealing with cases and implementing laws relating to children- Family Laws, JJ Act, Labour Laws. The resource persons traced out the international instruments on the development & importance of law relating to children and the impact of International Conventions on Children's Laws in India. Discussions through the three days centered around psychological approaches to curb social deviance in children; child labour and rehabilitating children in conflict with Law. The eminent resource person further provided perspectives on child custody and the role of NGO's, State and the Courts in the adoption of children. Court room conduct and court procedure in cases relating to children were delineated for the participating judges. The programme concluded with a discussion on The Protection of Children from Sexual Offences Act, 2012. The National Conference of Judges of the District Judiciary on MACT Cases which was held from March 15-17, 2013 deliberated on the ways that can be adopted to deal more effectively with the cases relating to motor accidents. It also highlighted the disparate practices in awarding compensation in motor accident cases by different courts in the country. The various issues were highlighted through discussion on topics like victims of motor vehicle accidents, the norms for investigating motor accident cases, procedural parameters for the inquiry being conducted by the Tribunal, the role and liability of Insurance Companies in motor accident claims and the quantum of compensation for the victims.
- f) **National Orientation Programmes:** During this quarter, there was just one programme under the Orientation series in the form of the National Conference for Additional District Judges which was held from February 8-10, 2013. There were 34 participants to this programme. This programme worked towards empowering the judges to discharge their constitutional responsibilities efficiently and effectively. The conference, through various discussion highlighted the role of judges in the District Judiciary. The participant judges were encouraged to appreciate the role that the district judiciary has to play in upholding the Constitutional values and in protecting the rights of individuals.
- g) **National Conferences of Judges of the District Judiciary on Law and Society Interface:** This series of programmes was conceptualized to highlight the close and inevitable connection between law and society. One of the aims underlying these programmes is to ensure that judges appreciate the concept of socially responsive judging. One programme each was conducted during the months of January and February, 2013 which encapsulated the above mentioned goal. The National Conference of Judges of the District Judiciary on Access to Justice was held from January 4-6, 2013. The main objective of the conference was to discuss the major issues regarding access to justice in India and the role of district judiciary in enhancing it. Deliberations were held on the legislative framework for legal aid,

contribution of Supreme Court in expanding the scope of access to justice, power and functions of legal services authorities at district and sub-district level and impact of gram nyayalayas in increasing the access of justice to people at different levels. The second Conference during this quarter was held for the Judges of the District Judiciary on Gender Justice from February 15 - 17, 2013. Under the guidance of eminent resource persons the participant judges identified the ways to further enhance the role of the district judiciary in promoting gender justice by protecting rights of women. A critical assessment of the current status of judicial approaches towards gender and laws promoting gender justice was presented before the judges. Through discussion on various topics like Impediments in Enforcement of Gender Justice in a Traditional Society;; Reproductive Rights and Gender Issues; Violence Against Women in the Family; Rights of Women in Family: Property and Inheritance Rights; Violence against Women: Sexual Offences, Trafficking and Workplace Harassment and Special Machineries for Protection of Women, the Conference drew the attention of the participating judges towards new developments in law in this area and the approach of the Higher Judiciary in this regard.

- h) Court Excellence Enhancement Programme (CEEP 2):** In 2011-12, NJA had initiated the Court Excellence Enhancement Programme which brought together all the duty holders of a Court under one roof. For the first time ever six duty holders of nine Courts came together for discussions and developed a Court Action Plan to enhance court performance for each of their Courts and implemented these in their respective courts. A review process was undertaken in the current academic year for all the Courts and stakeholders who participated in CEEP 1. During the months of January, February and March, 2013 the participants of last year's programmes were invited to NJA to assess the progress in the implementation of the action plan of 2011-2012. This review programme was conducted under the valuable guidance of various Resource Persons. One programme each was held during January & February 2013 and two programmes in March, 2013. The participants discussed, analyzed and evaluated the impediments and challenges faced by the courts in implementing the court action plan. Based on the experience of CEEP I, the stakeholders worked together to formulate a management framework for coordinated action to further enhance court performance.

SOME IMPORTANT VISITS AND CONFERENCES (From 01-01-13 to 31-03-13)

ABROAD

Hon'ble Mr. Justice Vikramajit Sen visited Sydney to attend the '6th World Congress on Family Law and Children's Rights' held in Sydney, Australia during the period from 17th March to 20th March, 2013.

INLAND

1. Hon'ble Shri Altamas Kabir, CJI visited a) Ahmedabad - to attend Convocation at GNLU during the period from 19th to 20th January, 2013; b) Cochin - to attend NALSA Conference on Rights of Women and Juvenile Justice during the period from 26th to 27th January, 2013; c) Chandigarh - in connection with the Inauguration of the 4th International Sarin-Leiden International Air Law Moot Court competition at Army Law Institute on 2nd February, 2013; d) Patiala - to attend the First Annual Convocation of Rajiv Gandhi National University of Law on 2nd February, 2013; e) Ranchi- to deliver address in a Seminar on Economic Reforms, Economic Liberalization and FDI on 9th February, 2013; f) Ahmedabad- to deliver 8th Justice P. D. Desai Memorial Lecture on 17th February, 2013; g) Patna- to deliver Convocation Address at Chanakaya National Law University, Patna on 23rd February, 2013; h) Kolkata- to inaugurate Mediation Centre of High Court of Calcutta and to deliver Convocation Address at W.B. NUJS, Kolkata on 24th February, 2013; i) Hyderabad- to inaugurate Hyderabad Mediation Centre on 2nd March, 2013; j) Kolkata- to deliver inaugural address on the occasion of International Women's Day on 9th March, 2013; k) Allahabad- to deliver Presidential Address at Commemoration of 150th Birth Anniversary of Mahamana Madan Mohan Malivya Seminar on 17th March, 2013; l) Shillong for Inauguration of Meghalaya High Court on 25th March, 2013, m) Imphal- for Inauguration of Manipur High Court on 25th March, 2013; n) Tripura- for Inauguration of Tripura High Court on 26th March, 2013 and o) Kolkata- to deliver Address on the occasion of celebration of the 150th Birth Anniversary of Swami Vivekananda on 30th March, 2013.
2. Hon'ble Mr. Justice P. Sathasivam visited a) Chennai- to attend newly recruited Judicial Officers Function on 5th January, 2013; b) Bengaluru- to participate in the Conference organized by the All India Conference of Intellectuals on 3rd February, 2013; and c) Chennai (i) to participate in the programme organized by T. N. State Judicial Academy and deliver address on "Speedy Disposal of Vigilance and Anti-corruption Cases" on 23rd February, 2013; (ii) to participate in the Golden Jubilee Celebrations of Women Lawyers' Association on 16th March, 2013; (iii) to attend inaugural function of "Special Programme for District Judges and Chief Judicial Magistrates on "Women and Children" organized by the T. N. State Judicial Academy and address on Women & Children - Role of Courts" on 23rd March, 2013 and (iv) to participate in the Celebration of 100th year of Tamil Nadu Advocates Clerks Association on 29th March, 2013.

3. Hon'ble Mr. Justice H. L. Dattu visited a) Ranibennur - to inaugurate the Golden Jubilee year of Bar Council of Karnataka - Regional Conference at Ranibennur on 9th February, 2013; b) Bengaluru - to inaugurate the High Court Cafeteria - New Building, High Court Buildings, Dr. Ambedkar Veedhi, High Court of Karnataka on 23rd February, 2013; and c) Bilaspur (i) to attend the State Bar Council National Seminar and felicitation function at the Auditorium, New High Court Building, High Court, Bilaspur (CG) on 16th March, 2013 and (ii) to attend the function of the State Legal Services Authority in the High Court premises on 17th March, 2013.
4. Hon'ble Dr. Justice B. S. Chauhan visited (a) Bhopal- to attend Conference on "Exercising inherent powers in Criminal Justice Administration" during the period from 12th to 13th January, 2013; (b) Kanpur- to attend function at Chhatrapati Shahu Ji Maharaj University, Kanpur on 19th January, 2013; (c) Hyderabad- to attend function organized by NALSAR on 2nd February, 2013; (d) Allahabad - to attend the Seminar at Allahabad High Court on 17th March, 2013 and (e) Chennai- to attend function at Tamil Nadu State Judicial Academy on 23rd March, 2013.
5. Hon'ble Mr. Justice A. K. Patnaik visited (a) Bhubaneswar- to attend the National Seminar of Orissa Judicial Academy of Orissa High Court at Puri on 16th February, 2013; (b) Cuttack- to attend Dr. Bibudhendra Misra Memorial Lecture at Saheed Bhawan, Cuttack on 2nd March, 2013; (c) Bhopal- to attend the Conference of National Judicial Academy, Bhopal during the period from 16th to 17th March, 2013 and (d) Bhopal- to attend the Fifth Convocation of National Law Institute University, Bhopal on 23rd March, 2013.
6. Hon'ble Mr. Justice Surinder Singh Nijjar visited (a) Calcutta- as a Guest of Honour to attend the inaugural function of Mediation Centre of the High Court at 5, Council House Street, Calcutta and 4th Regional Conference on Mediation organized by High Court, Calcutta and West Bengal State Legal Services Authority at the Auditorium of High Court, Calcutta in the Sesquicentenary Building during the period from 23rd to 24th February, 2013 and (b) Hyderabad (i) to attend the inaugural function of the Hyderabad Mediation Centre at Nyaya Seva Sadan, Hyderabad organized by Andhra Pradesh State Legal Services Authority and High Court of Andhra Pradesh and (ii) to attend the inaugural function of Renovated Central Hall of the High Court of Andhra Pradesh organized by the High Court of Andhra Pradesh during the period from 1st to 2nd March, 2013.
7. Hon'ble Mr. Justice H. L. Gokhale visited Goa to attend a Seminar on 23rd March, 2013.
8. Hon'ble Mrs. Justice Gyan Sudha Misra visited (a) Patna- to attend the function organized by Bihar Judicial Academy during the period from 23rd to 24th February, 2013 and (b) Bilaspur - to attend the function organized by Chattisgarh Bar Council at Bilaspur during the period from 16th to 17th March, 2013.
9. Hon'ble Mr. Justice Sudhansu Jyoti Mukhopadhaya visited Bhopal- to participate in the National Conference of High Court Judges on Contribution of the High Courts and the Supreme Court to the Development of Constitutional Law and Administrative Law conducted

by National Judicial Academy, Bhopal during the period from 15th to 17th March, 2013. His Lordship attended a National Seminar on "Economic Reforms, Economic Liberalisation, and FDI" organised by National University of Study and Research in Law on 9th February, 2013 as Guest of Honour. He also visited Patna to participate in the East Zone Regional Judicial Conference on 20-24 February, 2013 and delivered the Valedictory address on 24th February, 2013.

10. Hon'ble Mrs. Justice Ranjana Prakash Desai attended the inaugural function of 9th K. K. Luthra Memorial Moot Court, 2013 as Chief Guest held at the Campus Law Centre, University of Delhi, Delhi on 18th January, 2013. Her Ladyship addressed the gathering on the occasion of Golden Jubilee Function of the Bar Council of India on "Judicial delays and Access to Justice" at Vigyan Bhawan, New Delhi on 16th February, 2013. She also addressed members of the Legal Profession on topic of "Strengthening of Laws for Crimes Against Women" at Plenary Hall of ILI, Bhagwan Dass Road, New Delhi on 20th February, 2013. Her Ladyship visited (a) Varanasi to attend the International Conference on Environmental Law at Banaras University, Varanasi on 2nd March, 2013 and (b) Goa to attend the International Seminar on Global Business and Human Rights organized by Union International Des Avocats (UIA) in collaboration with UIA India Chapter at Goa Marriot Resort & Spa, Miramar Beach, Panaji, Goa during the period on 23rd March, 2013.
11. Hon'ble Mr. Justice Dipak Misra visited (a) Gwalior - to attend the programme organized by the Institute of Law, Jiwaji University, Gwalior as Chief Guest and delivered the lecture on "Role of Lawyer in Nation Building" on 6th January, 2013; (b) Tirupathi- to inaugurate the 7th All India Sanskrit Student's Talent Festival organized by Rashtriya Sanskrit Vidyapeetha, Tirupathi on 23rd February, 2013; (c) Bhopal- to deliver a lecture at National Law Institute University, Bhopal on 9th March, 2013 and (d) Pune - to attend the inaugural function of the Justice P. N. Bhagwati third International Moot Court Competition organized by the International Council of Jurists Bharati Vidyapeeth Deemed University's New Law College, Pune on 16th March, 2013.
12. Hon'ble Mr. Justice J. Chelameswar visited (a) Hyderabad (i) to attend the inauguration of Hyderabad Mediation Centre at Nyaya Seva Sadan, City Civil Court Complex on 2nd March, 2013; (ii) to attend the inauguration of renovated Central Hall in the main building of the High Court premises on 2nd March, 2013 and (iii) to attend the inauguration of Seminar on "Offences against Women & Children" & "Terrorism - Challenges Ahead" organised by the Bar Council of India & The Bar Council of State of Andhra Pradesh on 9th March, 2013 and (b) Pune to attend Justice P. N. Bhagwati 3rd International Moot Court Competition on Human Rights on 17th March, 2013.
13. Hon'ble Mr. Justice F. M. Ibrahim Kalifulla visited (a) Chennai- to address at Tamil Nadu State Judicial Academy (Induction Training Programme for the Newly Recruited Civil Judges 2012 (Batch-II) on "Mandatory Application of Mediation by Civil Courts in Pending Litigation" on 23rd February, 2013; (b) Chennai- to attend Golden Jubilee Celebrations of Women Lawyers' Association, 5th Floor, Madras High Court Building Campus on 16th March, 2013; (c) (i)

Nagercoil- as Chief Guest for the felicitation function and to release a book titled "Advocate Ahamed Khan - A role model" at Hotel Vijayedha, Nagercoil on 23rd March, 2013, (d) Tirunelveli- to attend "9th Graduation Day" of National College of Engineering, Maruthakulam on 24th March, 2013; and (e) Chennai (i) to release the book "Memoirs of a Mylapore Lawyer- S. Pichai" written by Mr. Randor Guy at Radisson Blu Ehtiraj Salai, Chennai on 28th March, 2013 and (ii) for the Centenary year celebration by the Tamilnadu Advocate's Clerks Association in Madras High Court Building Campus on 29th March, 2013.

14. Hon'ble Mr. Justice Ranjan Gogoi visited Ahmedabad to attend the 5th Annual GNLU International Moot Court Competition, 2013 organized by Gujarat National Law University, Gandhinagar on 9th February, 2013.
15. Hon'ble Mr. Justice Madan B. Lokur visited (a) Bhopal- to attend the National Conference of Judges of the District Judiciary on Access to Justice at National Judicial Academy, Bhopal on 5th January, 2013; (b) Pune- to attend the Law Day and Justice Y. V. Chandrachud Memorial Public Lecture 2013 during the period from 12th to 13th January, 2013; (c) Guwahati- to attend the 13th Bi-ennial Conference of All Assam Lawyers Association, Golaghat, Assam on 10th February, 2013; (d) Bhopal- to attend the National Conference of High Court Judges on the problems relating to Pendency and Arrears at National Judicial Academy, Bhopal on 16th February, 2013; (e) Hyderabad- to attend one day workshop on Child Protection Juvenile Justice - Release of Report on Child Welfare, Committees in Andhra Pradesh - Jointly organized by A. P. Judicial Academy, A. P. Alliance for Child Rights and UNICEF, Hyderabad on 24th February, 2013 and (f) Kochi (i) to attend the "Interaction Session on Mediation at the Collectorate Building at Ayyanthole, Trissur followed by visit to the Mediation Centre and (ii) to attend the "Interaction Session on Mediation at the Kerala High Court Building on 10th March, 2013.