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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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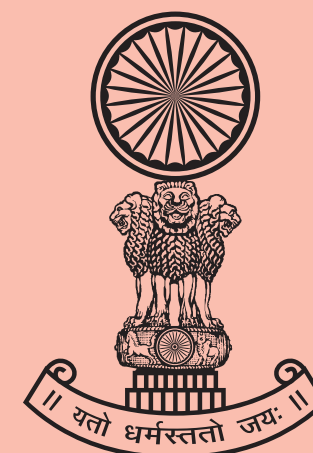
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COURT NEWS

Vol. VIII Issue No. 3

July - September 2013



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Hon'ble Mr. Justice Dipak Misra, Judge, Supreme Court of India
Hon'ble Mr. Justice J. Chelameswar, Judge, Supreme Court of India

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LIST OF SUPREME COURT JUDGES

(As on 30-09-2013)

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

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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 01-07-2013 TO 30-09-2013)**

APPOINTMENTS

S.No.	Name of Hon'ble Judge	Date of Appointment
1	Hon'ble Mr. Justice Shiva Kirti Singh	19-09-2013
2	Hon'ble Mr. Justice C. Nagappan	19-09-2013

RETIREMENT

S.No.	Name of Hon'ble Judge	Date of Retirement
1	Hon'ble Mr. Justice Altamas Kabir	19-07-2013

APPOINTMENTS IN THE HIGH COURTS

(From 01-07-2013 to 30-09-2013)

S.No.	Name of the High Court	Name of the Hon'ble Judge	Date of Appointment
1	Allahabad	M.C. Tripathi	27-09-13
		Suneet Kumar	27-09-13
2	Andhra Pradesh	A. Ramalingeswara Rao	21-09-13
		D.S. Naidu	21-09-13
3	Chhattisgarh	Goutam Bhaduri	16-09-13
		Sanjay K. Agrawal	16-09-13
		P. Sam Koshy	16-09-13
4	Delhi	Nuthalapati Venkata Ramana (As Chief Justice)	02-09-13
5	Jharkhand	Amitav Kumar Gupta	18-09-13
6	Madhya Pradesh	Rohit Arya	12-09-13
7	Meghalaya	Prafulla Chandra Pant (As Chief Justice)	20-09-13

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

TRANSFERS BETWEEN THE HIGH COURTS

(From 01-07-2013 to 30-09-2013)

S.No.	From	To	Name of the Hon'ble Judge	Date of Transfer
1.	Chhattisgarh	Madras	S.K. Agnihotri	26-09-13
2.	Rajasthan	Sikkim	Narendra Kumar Jain	30-09-13

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

VACANCIES IN THE COURTS

A) SUPREME COURT OF INDIA (As on 30-09-2013)

Sanctioned Strength	Working strength	Vacancies
31	30	01

B) HIGH COURTS (As on 30-09-2013)

S.No.	Name of the High Court	Sanctioned Strength	Working Strength	Vacancies
1	Allahabad	160	88	72
2	Andhra Pradesh	49	25	24
3	Bombay	75	57	18
4	Calcutta	58	37	21
5	Chhattisgarh	18	10	08
6	Delhi	48	42	06
7	Gujarat	42	31	11
8	Gauhati	24	17	07
9	Tripura	04	04	00
10	Meghalaya	03	03	00
11	Manipur	04	02	02
12	Himachal Pradesh	11	07	04
13	Jammu & Kashmir	14	11	03
14	Jharkhand	20	10	10
15	Karnataka	50	35	15
16	Kerala	38	30	08
17	Madhya Pradesh	43	33	10
18	Madras	60	42	18
19	Orissa	22	15	07
20	Patna	43	32	11
21	Punjab & Haryana	68	47	21
22	Rajasthan	40	29	11
23	Sikkim	03	02	01
24	Uttarakhand	09	07	02
TOTAL		906	616	290

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

C) DISTRICT & SUBORDINATE COURTS (As on 30-06-2013)

S.No.	State / Union Territory	Sanctioned Strength	Working Strength	Vacancies
1	Uttar Pradesh	2103	1785	318
2	Andhra Pradesh	894	758	136
3(a)	Maharashtra	2046	1791	255
3(b)	Goa	52	44	8
3(c)	Diu and Daman & Silvassa	7	6	1
4	West Bengal and Andaman & Nicobar	994	800	194
5	Chhatisgarh	323	247	76
6	Delhi	778	484	294
7	Gujarat	1955	1254	701
8(a)	Assam	389	237	152
8(b)	Nagaland	27	26	1
8(c)	Meghalya	39	26	13
8(d)	Manipur	37	30	7
8(e)	Tripura	102	68	34
8(f)	Mizoram	65	33	32
8(g)	Arunachal Pradesh	15	15	0
9	Himachal Pradesh	136	122	14
10	Jammu & Kashmir	208	189	19
11	Jharkhand	566	394	172
12	Karnataka	1062	735	327
13(a)	Kerala	422	380	42
13(b)	Lakshadweep	3	1	2
14	Madhya Pradesh	1334	1228	106
15(a)	Tamil Nadu	931	879	52
15(b)	Puducherry	21	11	10
16	Orissa	660	572	88
17	Bihar	1488	899	589
18(a)	Punjab	553	440	113
18(b)	Haryana	537	429	108
18(c)	Chandigarh	20	20	0
19	Rajasthan	1095	712	383
20	Sikkim	17	10	7
21	Uttarakhand	265	186	79
TOTAL		19144	14811	4333

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

INSTITUTION, DISPOSAL AND PENDENCY OF CASES IN THE SUPREME COURT

[01-07-2013 to 30-09-2013]

i) Table I

						Pendency (At the end of 30-06-2013)		
						Admission matters	Regular matters	Total matters
						40,279	29,167	69,446
Institution (01-07-2013 to 30-09-2013)			Disposal (01-07-2013 to 30-09-2013)			Pendency (At the end of 30-09-2013)		
Admission matters	Regular matters	Total matters	Admission matters	Regular matters	Total matters	Admission matters	Regular matters	Total matters
19,887	2,926	22,813	23,658	1,998	25,656	36,508	30,095	66,603

Note:

1. Out of the 66,603 pending matters as on 30-09-2013, if connected matters are excluded, the pendency is only of 36,652 matters as on 30-09-2013.
2. Out of the said 66,603 pending matters as on 30-09-2013, 19,888 matters are upto one year old and thus arrears (i.e. cases pending more than a year) are only of 46,715 matters as on 30-09-2013.

ii) Table II

	Opening Balance As On 01-07-13	Institution From 01-07-13 To 30-09-13	Disposal From 01-07-13 To 30-09-13	Pendency at the end of 30-09-13
CIVIL CASES	56,456	17,119	19,078	54,497
CRIMINAL CASES	12,990	5,694	6,578	12,106
ALL CASES (TOTAL)	69,446	22,813	25,656	66,603

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

A) HIGH COURTS (FROM 01-04-13 TO 30-06-13)

S. No.	Name of the High Court	Cases brought forward from the previous Quarter			Freshly instituted Cases during this Quarter			Disposed of Cases during this Quarter			Pending cases at the end of this Quarter			% of Institution of Cases w.r.t Opening Balance as on 1-4-13	% of Disposal of Cases w.r.t Opening Balance as on 1-4-13	% Increase or Decrease in Pendency w.r.t Opening Balance as on 1-4-13
		CIVIL	CRL.	(CIV. + CRL.)	CIVIL	CRL.	(CIV. + CRL.)	CIVIL	CRL.	(CIV. + CRL.)	CIVIL	CRL.	(CIV. + CRL.)			
1	Allahabad	681191	332164	1013355	37264	28268	65532	29696	26784	56480	688759	333648	1022407	6.47	5.57	0.89
2	Andhra Pradesh	189223	26845	216068	13793	4502	18295	7968	3328	11296	195048	28019	223067	8.47	5.23	3.24
3	Bombay	292057	48906	340963	26581	8565	35146	20656	7338	27994	297982	50133	348115	10.31	8.21	2.10
4	Calcutta	268508	37668	306176	18631	7146	25777	17674	5376	23050	269465	39438	308903	8.42	7.53	0.89
5	Chhatisgarh	31663	16657	48320	3421	2721	6142	3344	2173	5517	31740	17205	48945	12.71	11.42	1.29
6	Delhi	47946	14783	62729	5533	3010	8543	4815	2545	7360	48664	15248	63912	13.62	11.73	1.89
7	Gujarat	45964	29977	75941	11815	7139	18954	7108	6494	13602	50671	30622	81293	24.96	17.91	7.05
8	Gauhati	32918	6834	39752	4560	3571	8131	4783	3657	8440	32695	6748	39443	20.45	21.23	-0.78
9	Tripura	5420	1199	6619	623	216	839	958	260	1218	5085	1155	6240	12.68	18.40	-5.73
10	Meghalaya	948	124	1072	356	121	477	274	131	405	1030	114	1144	44.50	37.78	6.72
11	Manipur	4140	62	4202	543	13	556	825	6	831	3858	69	3927	13.23	19.78	-6.54
12	Himachal Pradesh	52696	5819	58515	9581	949	10530	8197	822	9019	54080	5946	60026	18.00	15.41	2.58
13	Jammu & Kashmir	80618	4272	84890	8261	795	9056	5561	562	6123	83318	4505	87823	10.67	7.21	3.46
14	Jharkhand	32587	30752	63339	4036	7086	11122	1248	4718	5966	35375	33120	68495	17.56	9.42	8.14
15	Karnataka	167420	16792	184212	27518	3524	31042	27534	3425	30959	167404	16891	184295	16.85	16.81	0.05
16	Kerala*	93115	31823	124938	12498	4856	17354	10619	4135	14754	94994	32544	127538	13.89	11.81	2.08
17	Madhya Pradesh	171302	82320	253622	17807	12313	30120	15006	9358	24364	174103	85275	259378	11.88	9.61	2.27
18	Madras	445317	68279	513596	47080	21245	68325	33060	23109	56169	459337	66415	525752	13.30	10.94	2.37
19	Orissa	309757	35409	345166	17792	13732	31524	8187	12872	21059	319362	36269	355631	9.13	6.10	3.03
20	Patna	73719	48480	122199	7801	13675	21476	6762	10881	17643	74758	51274	126032	17.57	14.44	3.14
21	** Punjab & Haryana	199504	54955	254459	16120	13086	29206	10469	10882	21351	204026	57164	261190	11.48	8.39	2.65
22	Rajasthan	234344	60655	294999	25337	10870	36207	16929	9059	25988	242752	62466	305218	12.27	8.81	3.46
23	Sikkim	60	9	69	27	26	53	18	20	38	69	15	84	76.81	55.07	21.74
24	Uttarakhand	14903	6492	21395	2191	1588	3779	2446	2415	4861	14648	5665	20313	17.66	22.72	-5.06
TOTAL		3475320	961276	4436596	319169	169017	488186	244137	150350	394487	3549223	979948	4529171	11.00	8.89	2.09

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

* Figures in the Disposal column of Criminal Cases revised by the High Court concerned.

** 1124 Main Cases decreased on Physical Verification by the High Court concerned.

B) DISTRICT AND SUBORDINATE COURTS (FROM 01-04-13 TO 30-06-13)

S. No.	Name of the State / UT	Cases brought forward from the previous Quarter			Freshly instituted Cases during this Quarter			Disposed of Cases during this Quarter			Pending cases at the end of this Quarter			% of Institution of Cases w.r.t Opening Balance as on 1-4-13	% of Disposal of Cases w.r.t Opening Balance as on 1-4-13	% Increase or Decrease in Pending Balance w.r.t Opening Balance as on 1-4-13
		CIVIL	CRL.	(CIV. + CRL.)	CIVIL	CRL.	(CIV. + CRL.)	CIVIL	CRL.	(CIV. + CRL.)	CIVIL	CRL.	(CIV. + CRL.)			
1	Uttar Pradesh	1397958	4414667	5812625	115714	554460	670174	101331	540598	641929	1412341	4428529	5840870	11.53	11.04	0.49
2	Andhra Pradesh	456304	469622	925926	60880	90075	150955	52422	75217	127639	464762	484480	949242	16.30	13.79	2.52
3(a)	Maharashtra	1025707	1901473	2927180	89960	256738	346698	78106	225750	303856	1037561	1932461	2970022	11.84	10.38	1.46
3(b)	Goa	18258	12891	31149	2482	5266	7748	2270	5325	7595	18470	12832	31302	24.87	24.38	0.49
3(c)	Diu and Daman	898	933	1831	165	345	510	227	274	501	836	1004	1840	27.85	27.36	0.49
3(d)	Silvasa	511	2280	2791	63	383	446	39	318	357	535	2345	2880	15.98	12.79	3.19
4(a)	West Bengal	536497	2126965	2663462	32300	272583	304883	29520	275244	304764	539277	2124304	2663581	11.45	11.44	0.00
4(b)	Andaman & Nicobar	2379	9100	11479	167	1328	1495	119	2150	2269	2427	8278	10705	13.02	19.77	-6.74
5	Chhatisgarh	60257	198776	259033	6064	34849	40913	4953	29986	34939	61368	203639	265007	15.79	13.49	2.31
6	Delhi	142379	439885	582264	16590	160248	176838	20732	167417	188149	138237	432716	570953	30.37	32.31	-1.94
7	Gujarat	636617	1541201	2177818	42155	225289	267444	39787	196939	236726	638985	1569551	2208536	12.28	10.87	1.41
8(a)	Assam	71791	189763	261554	10070	75729	85799	11502	85452	96954	70359	180040	250399	32.80	37.07	-4.26
8(b)	Nagaland	1496	2006	3502	254	116	370	333	290	623	1417	1832	3249	10.57	17.79	-7.22
8(c)	Meghalaya	1915	2789	4704	245	662	907	124	743	867	2036	2708	4744	19.28	18.43	0.85
8(d)	Manipur	5401	8033	13434	1088	2476	3564	1463	2848	4311	5026	7661	12687	26.53	32.09	-5.56
8(e)	Tripura *	8347	45815	54162	2282	37270	39552	2020	39154	41174	8644	48182	56826	73.03	76.02	4.92
8(f)	Mizoram	1552	2187	3739	1161	1538	2699	1244	1728	2972	1469	1997	3466	72.19	79.49	-7.30
8(g)	Arunachal Pradesh	878	5335	6213	313	1535	1848	332	1522	1854	859	5348	6207	29.74	29.84	-0.10
9	Himachal Pradesh	79909	152755	232664	17308	45514	62822	15303	33205	48508	81914	165064	246978	27.00	20.85	6.15
10	Jammu & Kashmir	75466	113659	189125	14425	54196	68621	13718	56712	70430	76173	111143	187316	36.28	37.24	-0.96
11	Jharkhand	64983	231641	296624	3685	25403	29088	3852	22611	26463	64816	234433	299249	9.81	8.92	0.88
12	Karnataka	584875	572449	1157324	72410	188823	261233	62112	173232	235344	595173	588040	1183213	22.57	20.34	2.24
13(a)	Kerala	404793	822093	1226886	67860	254161	322021	56622	196991	253613	416031	879263	1295294	26.25	20.67	5.58
13(b)	Lakshadweep	142	161	303	4	46	50	0	33	33	146	174	320	16.50	10.89	5.61
14	Madhya Pradesh	248673	857922	1106595	71685	296770	368455	61326	265497	326823	259032	889195	1148227	33.30	29.53	3.76
15(a)	Tamil Nadu	797704	462749	1260453	199369	174210	373579	172222	170937	343159	824851	466022	1290873	29.64	27.23	2.41
15(b)	Puducherry	15484	14408	29892	3524	2980	6504	3105	2788	5893	15903	14600	30503	21.76	19.71	2.04
16	Orissa	230556	956207	1186763	14750	74068	88818	9735	58887	68622	235571	971388	1206959	7.48	5.78	1.70
17	Bihar **	273028	1455159	1728187	16461	89011	105472	12972	66179	79151	276517	1477975	1754492	6.10	4.58	1.52
18(a)	Punjab	267336	255319	522655	37464	110494	147958	40234	97964	138198	264566	267849	532415	28.31	26.44	1.87
18(b)	Haryana	252489	293850	546339	34791	97655	132446	32184	88003	120187	255096	303502	558598	24.24	22.00	2.24
18(c)	Chandigarh	22043	27159	49202	2263	29559	31822	3156	31442	34598	21150	25276	46426	64.68	70.32	-5.64
19	Rajasthan	424127	1036843	1460970	50130	243703	293833	41827	229205	271032	432430	1051341	1483771	20.11	18.55	1.56
20	Sikkim	384	719	1103	108	348	456	165	401	566	327	666	993	41.34	51.31	-9.97
21	Uttarakhand	31682	135941	167623	4822	51663	56485	4980	50629	55609	31524	136975	168499	33.70	33.18	0.52
TOTAL		8142819	18762755	26905574	993012	3459494	4452506	880037	3195671	4075708	8255829	19030813	27286642	16.55	15.15	1.42

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

* Figures of pending cases at the end of the quarter revised by the High Court concerned.

** 16 Criminal cases transferred/amalgamated during this quarter.

SOME SUPREME COURT JUDGMENTS OF PUBLIC IMPORTANCE (01-07-2013 to 30-09-2013)

1. On 1st July, 2013, in the case of S. Manickam v. Metropolitan Transport Corp. Ltd. [Civil Appeal Nos.4816-4817 of 2013], it was held that "the determination of quantum in motor accidents cases and compensation under the Workmen's Compensation Act, 1923 must be liberal since the law values life and limb in free country in generous scales." It was further held that "the adjudicating authority, while determining the quantum of compensation, has to take note of the sufferings of the injured person which would include his inability to lead a full life, his incapacity to enjoy the normal amenities which he would have enjoyed but for the injuries and his ability to earn as much as he used to earn or could have earned. While computing compensation, the approach of the tribunal or a court has to be broad based and sometimes it would involve some guesswork as there cannot be any precise formula to determine the quantum of compensation."
2. On 1st July, 2013, in the case of Mrs. Aparna A. Shah v. M/s Sheth Developers Pvt. Ltd. & Anr. [Criminal Appeal No.813 of 2013], it was held that "under Section 138 of the Negotiable Instruments Act, 1881, it is only the drawer of the cheque who can be prosecuted" and "in case of issuance of cheque from joint accounts, a joint account holder cannot be prosecuted unless the cheque has been signed by each and every person who is a joint account holder."
3. On 1st July, 2013, in the case of K. Guruprasad Rao v. State of Karnataka and others [Civil Appeal No.4823 of 2013], it was held that "the protection of ancient monuments has necessarily to be kept in mind while carrying out development activities. The need for ensuring protection and preservation of the ancient monuments for the benefit of future generations has to be balanced with the benefits which may accrue from mining and other development related activities."
4. On 1st July, 2013, in the case of U.P. Power Corporation Ltd. & Ors. v. Anis Ahmad [Civil Appeal No.5466 of 2012], the issue relating to jurisdiction of the Consumer Forum (constituted under the Consumer Protection Act, 1986) to entertain a complaint filed by a consumer or any person against the assessment made under Section 126 of the Electricity Act, 2003 or action taken under Sections 135 to 140 of the Electricity Act, 2003 was considered. It was held that:- (i) In case of inconsistency between the Electricity Act, 2003 and the Consumer Protection Act, 1986, the provisions of Consumer Protection Act will prevail, but ipso facto it will not vest the Consumer Forum with the power to redress any dispute with regard to the matters which do not come within the meaning of "service" as defined under Section 2(1)(o) or "complaint" as defined under Section 2(1)(c) of the Consumer Protection Act, 1986. (ii) A "complaint" against the assessment made by assessing officer under Section 126 or against the offences committed under Sections 135 to 140 of the Electricity Act, 2003 is not maintainable before a Consumer Forum. (iii) The Electricity Act, 2003 and the Consumer Protection Act, 1986 runs parallel for giving redressal to any person, who falls within the meaning of "consumer" under Section 2(1)(d) of the Consumer Protection Act, 1986 or the Central Government or the State Government or association of consumers but it is limited to the dispute relating to "unfair trade practice" or a

"restrictive trade practice adopted by the service provider"; or "if the consumer suffers from deficiency in service"; or "hazardous service"; or "the service provider has charged a price in excess of the price fixed by or under any law".

5. On 2nd July, 2013, in the case of Dharamvir Singh v. Union of India & Ors. [Civil Appeal No.4949 of 2013], it was held that a member of Armed Forces is to be presumed in sound physical and mental condition upon entering service if there is no note or record at the time of entrance. In the event of his subsequently being discharged from service on medical grounds any deterioration in his health is to be presumed due to service.
6. On 5th July, 2013, in the case of S.D. Bandi v. Divisional Traffic Officer, KSRTC & Ors. [Civil Appeal No. 4064 of 2004], the issue relating to occupation of government accommodation by members of all the three branches of the State, viz., the Legislature, the Executive and the Judiciary beyond the period for which the same were allotted, was considered. The Supreme Court observed that "the occupation of such government houses/quarters beyond the period prescribed causes difficulty in accommodating other persons waiting for allotment and, therefore, the Government is at a loss on the one hand in not being able to accommodate those persons who are in need and on the other is unable to effectively deal with the persons who continue to occupy unauthorisedly beyond the period prescribed." A number of suggestions were given by the Court precisely addressing the grievances of the Centre and the State governments in regard to the unauthorized occupants.
7. On 5th July, 2013, in the case of S. Subramaniam Balaji v. The Government of Tamil Nadu & Ors. [Civil Appeal No.5130 of 2013], it was held that the promises in the election manifesto cannot be read into Section 123 of the Representation of People Act, 1951 for declaring it to be a corrupt practice.
8. On 10th July, 2013, in the case of Lily Thomas v. Union of India & Ors. [Writ Petition (Civil) No. 490 of 2005], sub-section (4) of Section 8 of the Representation of the People Act, 1951 was declared ultra vires the Constitution and it was further held that "if any sitting member of Parliament or a State Legislature is convicted of any of the offences mentioned in sub-sections (1), (2) and (3) of Section 8 of the Act and by virtue of such conviction and/or sentence suffers the disqualifications mentioned in sub-sections (1), (2) and (3) of Section 8 of the Act after the pronouncement of this judgment, his membership of Parliament or the State Legislature, as the case may be, will not be saved by sub-section (4) of Section 8 of the Act" which by this judgment has been "declared as ultra vires the Constitution notwithstanding that he files the appeal or revision against the conviction and /or sentence."
9. On 16th July, 2013, in the case of State of Maharashtra & Anr. v. Indian Hotel & Restaurants Assn. & Ors. [Civil Appeal No.2705 of 2006], the constitutionality of Sections 33A and 33B of the Bombay Police Act, 1951 as inserted by the Bombay Police (Amendment) Act, 2005 and the issue pertaining to bar girls and discontinuance of dance bars in certain establishments was considered.

The Court held that it saw "no rationale to justify the conclusion that a dance that leads to depravity in one place would get converted to an acceptable performance by a mere change of venue." It was held that "the activities which are obscene or which are likely to deprave and corrupt those whose minds are open to such immoral influences, cannot be distinguished on

the basis as to whether they are performing in 5 star hotels or in dance bars. The judicial conscience of this Court would not give credence to a notion that high morals and decent behaviour is the exclusive domain of the upper classes; whereas vulgarity and depravity is limited to the lower classes. Any classification made on the basis of such invidious presumption is liable to be struck down being wholly unconstitutional and particularly contrary to Article 14 of the Constitution of India." It was further held that "the impugned legislation has proved to be totally counter productive and cannot be sustained being ultra vires Article 19(1)(g)."

The Court observed that "the end result of the prohibition of any form of dancing in the establishments covered under Section 33A of the Bombay Police Act, 1951 leads to the only conclusion that these establishments have to shut down. This is evident from the fact that since 2005, most if not all the dance bar establishments have literally closed down. This has led to the unemployment of over 75,000 women workers. It has been brought on the record that many of them have been compelled to take up prostitution out of necessity for maintenance of their families." It was held that "the restrictions in the nature of prohibition cannot be said to be reasonable, inasmuch as there could be several lesser alternatives available which would have been adequate to ensure safety of women than to completely prohibit dance. In fact, a large number of imaginative alternative steps could be taken instead of completely prohibiting dancing, if the real concern of the State is the safety of women."

10. On 17th July, 2013, in the case of Jagdish Prasad Sharma v. State of Bihar & Ors. [Civil Appeal Nos.5527-5543 of 2013], the question as to whether certain regulations framed by the University Grants Commission had a binding effect on educational institutions being run by the different States and even under State enactments was considered. It was held that "the right of the University Grants Commission to frame Regulations having the force of law is admitted. However, the State Governments are also entitled to legislate with matters relating to education under Entry 25 of List III. So long as the State legislation did not encroach upon the jurisdiction of Parliament, the State legislation would obviously have primacy over any other law. If there was any legislation enacted by the Central Government under Entry 25 List III, both would have to be treated on a par with each other. In the absence of any such legislation by the Central Government under Entry 25 List III, the Regulation framed by way of delegated legislation has to yield to the plenary jurisdiction of the State Government under Entry 25 of List III." On the question of application of a composite scheme framed by the University Grants Commission, it was held that "there can be no automatic application of the recommendations made by the Commission, without any conscious decision being taken by the State in this regard, on account of the financial implications and other consequences attached to such a decision."
11. On 2nd August, 2013, in the case of Dharmendra Kirthal v. State of U.P. and another [Writ Petition (Crl.) No. 100 of 2010], the constitutional validity of Section 12 of the Uttar Pradesh Gangsters and Anti-Social Activities (Prevention) Act, 1986 was upheld. It was held that an "accused under the Act is in a distinct category and the differentiation between the two, namely, a person arrayed as an accused in respect of offences under other Acts and an accused under the Act is a rational one. It cannot be said to be arbitrary. It does not defeat the concept of permissible classification." The Court held that "the classification is in the permissible realm of Article 14 of the Constitution"

12. On 13th August, 2013, in the case of *Lalu Prasad @ Lalu Prasad Yadav v. State of Jharkhand* [Criminal Appeal No.1166 of 2013], it was held that "independence of judiciary is the basic feature of the Constitution." The Court observed that "a person whether he is a judicial officer or a Public Prosecutor or a lawyer defending the accused should always uphold the dignity of their high office with a full sense of responsibility and see that its value in no circumstance gets devalued. The public interest demands that the trial should be conducted in a fair manner and the administration of justice would be fair and independent."
13. On 13th August, 2013, in the case of *Alaknanda Hydro Power Co. Ltd. v. Anuj Joshi & Ors.* [Civil Appeal No.6736 of 2013], the Court took notice of the adverse impact of the various hydroelectric power projects in the State of Uttarakhand on the ecology and environment of Alaknanda and Bhagirathi river basins and held that the "cumulative impact of the various projects in place and which are under construction on the river basins have not been properly examined or assessed, which requires a detailed technical and scientific study."

The Court directed the Ministry of Environment and Forest (MoEF) as well as State of Uttarakhand not to grant any further environmental clearance or forest clearance for any hydroelectric power project in the State of Uttarakhand, until further orders. MoEF was directed to constitute an Expert Body consisting of representatives of the State Government, Wild Life Institute of India (WII), Central Electricity Authority, Central Water Commission and other expert bodies to make a detailed study as to whether Hydroelectric Power Projects existing and under construction have contributed to the environmental degradation, if so, to what extent and also whether it has contributed to the recent tragedy at Uttarakhand in the month of June 2013. MoEF was also directed to examine, as noticed by WII in its report, as to whether the proposed 24 projects are causing significant impact on the biodiversity of Alaknanda and Bhagirath River basins.

14. On 14th August, 2013, in the case of *State of Jharkhand & Ors. v. Jitendra Kumar Srivastava & Anr.* [Civil Appeal No.6770 of 2013], it was held that "a person cannot be deprived of this pension without the authority of law, which is the Constitutional mandate enshrined in Article 300 A of the Constitution." It was held that "attempt of the appellant to take away a part of pension or gratuity or even leave encashment without any statutory provision and under the umbrage of administrative instruction cannot be countenanced."
15. On 16th August, 2013, in the case of *Assistant Engineer, Rajasthan State Agriculture Marketing Board, Sub-Division, Kota v. Mohan Lal* [Civil Appeal No.6795 of 2006], it was held that though Limitation Act, 1963 is not applicable to the reference made under the Industrial Disputes Act, 1947 but delay in raising industrial dispute is definitely an important circumstance which the Labour Court must keep in view at the time of exercise of discretion irrespective of whether or not such objection has been raised by the other side.
16. On 22nd August, 2013, in the case of *In re: Rameshwar Prasad Goyal, Advocate* [Suo Motu Contempt Petition No.312 of 2013], it was held that the Supreme Court "is competent to proceed against an Advocate-on-Record (AOR) suo motu, without any complaint from any person, if prima facie it is of the opinion that an AOR is guilty of misconduct or of conduct unbecoming of an AOR." It was held that "if the AOR does not discharge his responsibility in a responsible manner because he does not appear whenever the matter is listed or does not take any interest in conducting the case, it would amount to not playing any role whatsoever."

In such a fact-situation, lending signatures for consideration would amount to misconduct of his duty towards court. In case the AOR is only lending his signatures without taking any responsibility for conduct of a case, the very purpose of having the institution of AsOR stands defeated."

17. On 3rd September, 2013, in the case of Union of India v. Namit Sharma [Review Petition (C) No. 2309 of 2012 in Writ Petition (C) No.210 of 2012], it was declared that:(i) Sections 12(5) and 15(5) of the Right to Information Act, 2005 are not ultra vires the Constitution. It was further held that:- (ii) Sections 12(6) and 15(6) of the Act do not debar a Member of Parliament or Member of the Legislature of any State or Union Territory, as the case may be, or a person holding any other office of profit or connected with any political party or carrying on any business or pursuing any profession from being considered for appointment as Chief Information Commissioner or Information Commissioner, but after such person is appointed as Chief Information Commissioner or Information Commissioner, he has to discontinue as Member of Parliament or Member of the Legislature of any State or Union Territory, or discontinue to hold any other office of profit or remain connected with any political party or carry on any business or pursue any profession during the period he functions as Chief Information Commissioner or Information Commissioner. (iii) Only persons of eminence in public life with wide knowledge and experience in the fields mentioned in Sections 12(5) and 15(5) of the Act be considered for appointment as Information Commissioner and Chief Information Commissioner. (iv) Persons of eminence in public life with wide knowledge and experience in all the fields mentioned in Sections 12(5) and 15(5) of the Act, namely, law, science and technology, social service, management, journalism, mass media or administration and governance, be considered by the Committees under Sections 12(3) and 15(3) of the Act for appointment as Chief Information Commissioner or Information Commissioners. (v) The Committees under Sections 12(3) and 15(3) of the Act while making recommendations to the President or to the Governor, as the case may be, for appointment of Chief Information Commissioner and Information Commissioners must mention against the name of each candidate recommended, the facts to indicate his eminence in public life, his knowledge in the particular field and his experience in the particular field and these facts must be accessible to the citizens as part of their right to information under the Act after the appointment is made. (vi) Wherever Chief Information Commissioner is of the opinion that intricate questions of law will have to be decided in a matter coming up before the Information Commission, he will ensure that the matter is heard by an Information Commissioner who has wide knowledge and experience in the field of law.
18. On 9th September, 2013, in the case of State of Maharashtra & Ors. v. Namdeo etc. etc. [Civil Appeal Nos. 7899-7901 of 2013], issue pertaining to claims under the Freedom Fighters Scheme was considered. It was held that:- "(a) The claims of the freedom fighters are to be dealt with, with sympathy; (b) The authorities are not to go by the test of "beyond reasonable doubt" and standard of proof based on this principle has to be discarded; (c) On the contrary, the principle of probability is to be applied and eschewing the technicalities, the approach should be to uphold the entitlement; (d) When scheme itself mentions the documents which are required to be produced by the applicant, normally those documents need to be produced to prove the claim; (e) The High Court exercising writ jurisdiction does not sit in judgment over the decision of the State Government like an appellate authority. The order of the State Government is to be examined applying the parameters of judicial review which are

available in examining the validity of such orders; (f) Even if order is found to be perverse or flawed, the High Court can, at the most, remit back to the State Government to reconsider the case." However, "there may be cases where because of long lapse of time or other circumstances beyond the control of the applicant, it is almost impossible or cumbersome to procure and produce all the stipulated documents. In such cases, the claim cannot be summarily rejected for want of documents, even though as per the Pension Scheme, such documents are to be provided." "To meet such eventualities, following principle needs to be added: (g) On the basis of evidence/documents/ material submitted by the applicant, the Government should examine whether it is a genuine case and the documents produced establish that the applicant had participated in the freedom movement. It should be done applying the principle of probability. If the material/documents produced are otherwise convincing, the Government in appropriate cases may not insist on strict compliance with all the requirements stated in the Scheme."

19. On 13th September, 2013, in the case of A.C. Narayanan v. State of Maharashtra & Anr. [Criminal Appeal No.73 of 2007], a three Judges Bench while answering a reference held that:-(i) Filing of complaint petition under Section 138 of the Negotiable Instruments Act, 1881 through power of attorney is perfectly legal and competent. (ii) The Power of Attorney holder can depose and verify on oath before the Court in order to prove the contents of the complaint. However, the power of attorney holder must have witnessed the transaction as an agent of the payee/holder in due course or possess due knowledge regarding the said transactions. (iii) It is required by the complainant to make specific assertion as to the knowledge of the power of attorney holder in the said transaction explicitly in the complaint and the power of attorney holder who has no knowledge regarding the transactions cannot be examined as a witness in the case. (iv) In the light of section 145 of N.I Act, it is open to the Magistrate to rely upon the verification in the form of affidavit filed by the complainant in support of the complaint under Section 138 of the N.I Act and the Magistrate is neither mandatorily obliged to call upon the complainant to remain present before the Court, nor to examine the complainant or his witness upon oath for taking the decision whether or not to issue process on the complaint under Section 138 of the N.I. Act. (v) The functions under the general power of attorney cannot be delegated to another person without specific clause permitting the same in the power of attorney. Nevertheless, the general power of attorney itself can be cancelled and be given to another person."
20. On 13th September, 2013, in the case of Resurgence India v. Election Commission of India & Anr. [Writ Petition (Civil) No. 121 of 2008], it was held that: (i) "The voter has the elementary right to know full particulars of a candidate who is to represent him in the Parliament/Assemblies and such right to get information is universally recognized. Thus, "right to know about the candidate is a natural right flowing from the concept of democracy and is an integral part of Article 19(1)(a) of the Constitution." (ii) "The ultimate purpose of filing of affidavit along with the nomination paper is to effectuate the fundamental right of the citizens under Article 19(1)(a) of the Constitution of India. The citizens are supposed to have the necessary information at the time of filing of nomination paper and for that purpose, the Returning Officer can very well compel a candidate to furnish the relevant information." (iii) "Filing of affidavit with blank particulars will render the affidavit nugatory. (iv) "It is the duty of the Returning Officer to check whether the information required is fully furnished at the time of filing of affidavit with the nomination paper since such information is very vital for giving effect

to the 'right to know' of the citizens. If a candidate fails to fill the blanks even after the reminder by the Returning Officer, the nomination paper is fit to be rejected." "The power of Returning Officer to reject the nomination paper must be exercised very sparingly but the bar should not be laid so high that the justice itself is prejudiced."

21. On 19th September, 2013, in the case of University Grants Commission & Anr. v. Neha Anil Bobde (Gadekar) [Civil Appeal No.8355 of 2013], it was held that "in academic matters, unless there is a clear violation of statutory provisions, the Regulations or the Notification issued, the Courts shall keep their hands off since those issues fall within the domain of the experts."
22. On 19th September, 2013, in the case of Deepak Rai v. State of Bihar [Criminal Appeal Nos. 249-250 of 2011], the sentencing procedure and policy was examined. It was held that while under Section 367(5) of the Code of Criminal Procedure, 1898 i.e. the old Code, "the normal sentence to be awarded to a person found guilty of murder was death and imprisonment for life was an exception", the present Code i.e. Code of Criminal Procedure, 1973 which was legislated in 1973 "brought a shift in the then existing penological trend by making imprisonment for life a rule and death sentence an exception." It was further held that the present Code "makes it mandatory for the Court in cases of conviction for an offence punishable with imprisonment for life to assign reasons in support of the sentence awarded to the convict and further ordains that in case the Court awards the death penalty, "special reasons" for such sentence shall be stated in the judgment."
23. On 26th September, 2013, in the case of M/s. Larsen & Toubro Limited & Anr. v. State of Karnataka & Anr. [Civil Appeal No.8672 of 2013], it was held that "building contracts are species of the works contract". The Court held that for "sustaining the levy of tax on the goods deemed to have been sold in execution of a works contract, three conditions must be fulfilled: (one) there must be a works contract, (two) the goods should have been involved in the execution of a works contract and (three) the property in those goods must be transferred to a third party either as goods or in some other form." It was further held that for purposes of Article 366(29-A)(b) of the Constitution, "in a building contract or any contract to do construction, if the developer has received or is entitled to receive valuable consideration, the above three things are fully met. It is so because in the performance of a contract for construction of building, the goods (chattels) like cement, concrete, steel, bricks etc. are intended to be incorporated in the structure and even though they lost their identity as goods but this factor does not prevent them from being goods."

The Court, however, clarified "that activity of construction undertaken by the developer would be works contract only from the stage the developer enters into a contract with the flat purchaser. The value addition made to the goods transferred after the agreement is entered into with the flat purchaser can only be made chargeable to tax by the State Government."

24. On 27th September, 2013, in the case of People's Union for Civil Liberties & Anr. v. Union of India & Anr. [Writ Petition (Civil) No.161 of 2004], a three Judges Bench directed the Election Commission to provide necessary provision in the ballot papers/ Electronic Voting Machines (EVMs) and another button called "None of the Above (NOTA)" "in EVMs so that the voters, who come to the polling booth and decide not to vote for any of the candidates in the fray, are able to exercise their right not to vote while maintaining their right of secrecy. Inasmuch as

the Election Commission itself is in favour of the provision for NOTA in EVMs", the Election Commission was directed "to implement the same either in a phased manner or at a time with the assistance of the Government of India."

25. On 27th September, 2013, in the case of State of Rajasthan v. Jamil Khan [Criminal Appeal No.659 of 2006], the scope of consideration of Death Reference by the High Court under Chapter XXVIII of CrPC was in issue. The appropriate penological approach in respect of murders which shock the conscience of the Court and the community was also considered. It was held that such "crimes, which shock the collective conscience of the society by creating extreme revulsion in the minds of the people, are to be treated as the rarest of rare category."

On the question as to whether there is any restriction on the exercise of power under Section 432 Cr.PC for remission and Section 433 Cr.PC for commutation in cases of minimum sentence, it was held that if the Parliament "has mandated a minimum sentence for certain offences, the Government being its delegate, cannot interfere with the same in exercise of their power for remission or commutation. Neither Section 432 nor Section 433 of Cr.PC hence contains a non-obstante provision. Therefore, the minimum sentence provided for any offence cannot be and shall not be remitted or commuted by the Government in exercise of their power under Section 432 or 433 of the Cr.PC. Wherever the Indian Penal Code or such penal statutes have provided for a minimum sentence for any offence, to that extent, the power of remission or commutation has to be read as restricted; otherwise the whole purpose of punishment will be defeated and it will be a mockery on sentencing."

SOME RECENT MAJOR EVENTS AND THE INITIATIVES (01-07-2013 to 30-09-2013)

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

- (a) **COLLOQUIUM ON MEDIATION AT CHANDIGARH JUDICIAL ACADEMY AT CHANDIGARH:** The Punjab State Legal Services Authority under the aegis of NALSA organized the Colloquium on 'Mediation' at Chandigarh Judicial Academy on 13.7.2013. Two technical Sessions "Mediation-Its Concept, Process and Benefits" & "Mediation in Action (Role Play - Interactive Sessions) were conducted in the Colloquium.
- (b) **REGIONAL CONFERENCES ON MEDIATION:** Madhya Pradesh State Legal Services Authority organized Regional Conference for the Central Zone on Mediation on 03.08.2013 at Jabalpur. West Bengal State Legal Services Authority organized Regional Conference for East Zone on Mediation on 31.08.2013 at Kolkata, West Bengal.
- (c) **WORKSHOP OF CHAIRPERSONS AND SECRETARIES OF DISTRICT LEGAL SERVICES AUTHORITIES AND SUB-DIVISIONAL LEGAL SERVICES COMMITTEES OF HARYANA AND PUNJAB AT CHANDIGARH JUDICIAL ACADEMY, CHANDIGARH:** A workshop of Chairpersons and Secretaries of DLSAs and SDLSCs of Haryana and Punjab was organized on 21st and 22nd September, 2013 at Judicial Academy, Chandigarh in order to improve the functioning of DLSAs and SDLSCs and for updating and proper implementation of various schemes of NALSA.
- (d) **MEETING OF PANEL LAWYERS AND PARA LEGAL VOLUNTEERS TRAINING AT ODISHA:** A meeting was organized at Bhubaneswar, Orissa between NALSA, Orissa SLA and Department of Justice, Ministry of Law & Justice, Government of India, MARG, CLAP and National Law University, Orissa on 25th September, 2013 to finalize module for training and sensitization of empanelled lawyers and PLV training programmes.

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

Academic Programme for Judges from Sri Lanka (August 12-16, 2013): 30 Judges arrived from Sri Lanka for a period of five days from August 12-16, 2013, where they were made familiar with the working of the Indian Judicial System. The topics ranged from a comparative perspective on the role of Judiciary in Constitutional Democracy to Fair Trial, Sentencing, Access Justice, Cyber Law, Judicial Ethics, and Judgment writing among others. They also participated in the Independence Day Celebrations at National Judicial Academy.

National Conference of the Presiding Officers of NDPS Courts: August 23 - 25, 2013: This programme brought together 30 presiding officers of the NDPS courts from across the country. Keeping in mind the fact that the Government of India established specialized NDPS courts through an enactment in 1985 for the sole purpose of providing speedy trial of the offences relating to narcotic drugs and psychotropic substances, the module worked towards discussing the serious challenges in implementing the anti drug laws which include problems

relating to disposal of contraband, forfeiture of the case property and ill-gotten sale proceeds, sentencing the drug traffickers and application of presumptions under the Act.

National Conference of Newly Elevated High Court Judges: August 24- 25, 2013: The High Courts in India have the powers of superintendence over the district judiciary on the one hand and the writ jurisdiction on the other. They further have the onerous responsibility of contributing to the development of law in the country and protecting the rights of people. While designing the module for the Newly Elevated High Court Judges, these aspects are given due importance. In addition to the discussions on the relevant topics, the National Conference also provided an opportunity to the 26 newly elevated High Court judges to meet their counterparts from across the country, discuss various complex issues relating to their day to day functioning and also the larger issues relating to justice with experienced sitting and former Chief Justices and judges from the Supreme Court.

Regional Judicial Conferences on Role of Courts in upholding Rule of Law (East Zone: Calcutta, Chattisgarh, Guwahati, Jharkhand, Patna, Orissa, Sikkim, Manipur, Tripura, Meghalaya) August 30- September 01, 2013: The said Regional Conference was organised in collaboration with the Gauhati High Court and the North Eastern Officers' Training Institute, Guwahati, with an aim of sharing knowledge and experience among the Judicial Officers across states in relation to various issues relating to the "Role of courts in upholding the Rule of Law" in India. There were 95 participants.

National Conference of Judges of the District Judiciary on Adjudication of Issues relating to women and children: September 6-8, 2013: Seeking to focus on the major concerns of and the key areas of litigation in relation to women and children, the Conference drew the attention of the participants towards new developments in law in this area and the approaches of the Higher Judiciary while dealing with issues relating to women and children. The programme further helped to identify and analyze the constraints and challenges faced by judges in dealing with cases and implementing laws relating to women and children. There were 30 participant judges. The topics which worked to meet the stated objective of the Conference were Issues relating to women & children: International laws & its impact on India; NRI Marriages: Implications in Litigation related to women & children; Adoption & surrogacy- concerns & Judicial response; Right & concerns of women & children - constitutional perspectives; recent development in Law relating to women & children; Perspective on child custody- psychological approaches to identify the best interests of the child.

National Conference of the Presiding Officers of Family Courts: September 6-8, 2013: This programme invited Presiding Officers of Family Courts from different parts of the country. The conference also provided a forum to the 24 presiding officers to share views and express their problems and search for remedies with their counterparts. The aim was to make them aware of the public perception of this special category of courts and to offer an opportunity to discuss ways and means to improve the performance of these courts to meet the public expectations and to realize the objectives underlying their establishment.

National Conference of the Principal Magistrates and Members of Juvenile Justice Boards: September 6-8, 2013: The main aim of this three day programme was to discuss the problems and unique needs of JJBs in conducting its proceedings. The 27 members of JJBs sat together to express their problems and to seek solutions in consultation with experts in the area and those working in the field.

National Orientation Programme for Newly Appointed Civil Judges (Junior Division): September 13- 19, 2013: This series of programmes formulated to cover the NJA Academic Goal of Enhancing the Capacity of Judges was aimed at the judicial officers at the lowest rung of the judiciary - Civil Judges (junior division).

National Conference of Judges of the District Judiciary on MACT Cases: September 13-15, 2013: The objective of this conference was to make the participating judges understand the nuances of MACT cases and to find out ways and means that can be adopted effectively to deal with such cases. One of the main concerns of cases under MACT is the disparate practices in awarding compensation in motor accident cases by different courts in the country.

National Orientation Programme for Additional District Judges: September 20-22, 2013: In order to apprise the participants on the various developments regarding the area of their work, the topic situating the District Judiciary in our Constitutional Scheme brought to attention Part III and Part IV of the Constitution.

National Conference of High Court Judges on Public Law: September 21-22, 2013: The main objective of this conference was to address key issues relating to public law litigation in recent times. The participants were accorded an opportunity to re-apprise themselves of the changing scope of writ jurisdiction and public law litigation. Apart from throwing light on the adjudication of complex issues, discussions were held on the major issues concerning the Writ jurisdiction under Article 226 of the Constitution.

Regional Judicial Conference on "Role of Courts in upholding Rule of Law" (South Zone : Andhra Pradesh, Karnataka, Madras and Kerala) : September 27-29, 2013: The Conference was held in collaboration with the High Court of Kerala and the State Judicial Academy, Kerala. The objective of this Conference, like all Regional Conferences was sharing of knowledge and experience among the Judicial Officers across states in relation to various issues relating to the "Role of courts in upholding the Rule of Law" in India.

SOME IMPORTANT VISITS AND CONFERENCES **(From 01-07-13 to 30-09-13)**

1. Hon'ble Shri P. Sathasivam, CJI visited a) Hyderabad to deliver Convocation address at NALSAR University of Law on 27th July, 2013; b) Erode for meeting members of the Bar on 3rd August, 2013; c) Cuttack for inauguration of new building of Odisha Judicial Academy on 10th August, 2013 and to interact with the Judicial Officers; d) Guwahati for Interaction with Judicial Officers, Inauguration of Additional High Court Building and Interaction with members of High Court Bar Associations of Assam, Arunachal Pradesh, Nagaland and Mizoram on 17th August, 2013; e) Chennai for Inauguration of ADR Centre, Chennai & Foundation Stone Laying Ceremony for Construction of Administrative Block of Madras High Court and to participate in the felicitation functions organized by various Bar Associations of Tamil Nadu on 20th August, 2013; f) Bengaluru to attend (i) General Council meeting of NLSIU in the premises of NLSIU and (ii) XXI Annual Convocation of NLSIU on 1st September, 2013 and g) Patna for Inauguration of the Induction Training Programme of the 27th Batch of Judicial Officers on 21st September, 2013.
2. Hon'ble Mr. Justice R. M. Lodha visited Patna to participate in the inaugural function organized for Induction Training of the Judicial Officers of the 27th Batch of Civil Judge, Junior Division of the State of Bihar on 21st September, 2013.
3. Hon'ble Mr. Justice H. L. Dattu visited a) Bengaluru to inaugurate the "Opening Ceremony of Food Court" in the premises of the High Court of Karnataka, Bengaluru on 3rd August, 2013; b) Ernakulam to inaugurate the High Court Guest House on 17th August, 2013; c) Dharwad to inaugurate the Karnataka High Court Permanent Bench at High Court Campus, P.B. Road on 24th August, 2013 and d) Chennai to address the Judicial Officers during the refresher programme for Civil Judges organized by Tamil Nadu State Judicial Academy on 21st September, 2013.
4. Hon'ble Dr. Justice B. S. Chauhan visited a) Cuttack to attend function of Odisha Judicial Academy on 10th August, 2013; b) Barsinghpura (Rajasthan) to attend function organized by MITS, the Navbharat Education and Social Research Institute and Protection of Plant Varieties and Farmers Rights Authority on 7th September, 2013; c) Bengaluru (i) to attend meeting of General Council on 31st August, 2013; and (ii) to attend XXIst Annual Convocation of NLSIU on 1st September, 2013 and d) Jodhpur to attend function at I.L.I. Rajasthan Branch on 14th September, 2013.
5. Hon'ble Mr. Justice A. K. Patnaik visited (a) Cuttack (i) to attend B. K. Ray Memorial Law Lecture at Saheed Bhawan, Cuttack on 27th July, 2013 and (ii) to attend a function at the Auditorium of Odisha Judicial Academy on 10th August, 2013; (b) Guwahati to attend inauguration of New High Court Building on 17th August, 2013; (c) Mumbai to attend Seminar of Bombay Council of Academicians & professionals at Bombay University Convocation Hall, Fort, Mumbai on 24th August, 2013 and (d) Bilaspur to attend function organized by Indian Law Institute, Chhattisgarh State Unit, to attend Foundation Stone Laying Ceremony, and to attend Plantation programme at High Court Campus on 14th September, 2013.

6. Hon'ble Mr. Justice T. S. Thakur visited (a) Bengaluru to attend the programmes organized by National Law School of India University on 30th August, 2013 and (b) Bhopal to attend National Conference of High Court Judges on Public Law organised by National Judicial Academy during the period from 20th to 21st September, 2013.
7. Hon'ble Mr. Justice K. S. Radhakrishnan visited Namchi (Sikkim) to attend the programme of "Interface with Judicial Offices of the South and West District, Member of the DLSA/TLSC and Members of the Bar" on 14th September, 2013.
8. Hon'ble Mr. Justice Surinder Singh Nijjar visited Chandigarh to preside over the North Zone Regional Conference on Mediation at National Judicial Academy during the period from 13th to 15th September, 2013.
9. Hon'ble Mr. Justice C. K. Prasad visited Bengaluru (i) to attend Academic Council meeting of NLSIU in the Conference Hall; and (ii) to attend XXIst Annual Convocation on 1st September, 2013.
10. Hon'ble Mrs. Justice Gyan Sudha Misra visited (a) Jodhpur to release the Monthly Law Journal "Trial Court Reference" at Ganesh Ustaad Auditorium on 10th August, 2013; (b) Varanasi to attend event organized on the occasion of 106th Jayanti of Shri Karpatri Maharaja Ji at Karpatri Dham, Varanasi on 9th August, 2013; (c) Jaipur to inaugurate Shree Sanjay Sharma Museum & Research Institute at Aamer Road, Jaipur on 15th September, 2013 and (d) Patna to attend the inaugural function of the Induction Training Programme of 27th Batch of Civil Judge Jr. Division of the State of Bihar during the period from 20th to 22nd September, 2013.
11. Hon'ble Mr. Justice Sudhansu Jyoti Mukhopadhaya visited Guwahati to Chair one of the Sessions in the First Regional Judicial Conference on "Role of Courts in upholding Rule Law" (East Zone) organized by the National Judicial Academy, India under the auspices of Gauhati High Court on 30th August and 1st September, 2013.
12. Hon'ble Mr. Justice Jagdish Singh Khehar visited Chennai to attend the function of Tamil Nadu State Judicial Academy on 28th September, 2013.
13. Hon'ble Mr. Justice Dipak Misra visited Cuttack (Odisha) to attend the inaugural programme of new building of Odisha Judicial Academy as Guest of Honour at Cuttack (Odisha) on 10th August, 2013.
14. Hon'ble Mr. Justice J. Chelameswar visited (a) Guwahati to attend the inauguration of New High Court Building for Gauhati High Court on 17th August, 2013; (b) Bengaluru to attend XXIst Convocation and General Council Meeting at NLSIU on 1st September, 2013 and (c) Kochi to attend the National Judicial Academy Regional Judicial Conference (South Zone) at High Court Auditorium on 28th September, 2013.
15. Hon'ble Mr. Justice F. M. Ibrahim Kalifulla visited (a) Chennai (i) to attend inauguration of Alternative Dispute Resolution Centre, Chennai in Madras High Court on 20th August, 2013; (ii) to visit Labour Law Practitioners' Association, Chennai at Additional City Civil Court Complex, Chennai on 7th September, 2013 and (iii) to attend Seminar on "Corporate Social

Responsibility and Alternative Dispute Resolution” at Tami Nadu State Judicial Academy, Greenways Road, Chennai on 28th September, 2013; and (b) Trichy (Tamil Nadu) to attend opening of Library Section in MIET Engineering College and Distrubution of Scholarships in Jamal Mohd. College, Trichy on 6th September, 2013.

16. Hon'ble Mr. Justice Madan B. Lokur visited (a) Jabalpur to attend the Regional Conference of Central Zone on Mediation convened by the Madhya Pradesh State Legal Services Authority at Jabalpur on 3rd August, 2013; (b) Kolkata to attend the 'East Zone Regional Conference on Mediation” at Calcutta organized by Mediation Committee, High Court at Calcutta on 30th August, 2013; (c) Bhopal (i) to participate in the National Conference of Newly Elevated High Court Judges on 25th August, 2013 and (ii) to participate in the National Conference of the Principal Magistrates/Members of Juvenile Justice Board during the period from 7th to 8th September, 2013 and (d) Ranchi to inaugurate the Lecture Series on “Tribal and Customary Law” at the auditorium of Central University of Jharkhand during the period from 20th to 21st September, 2013.
17. Hon'ble Mr. Justice V. Gopala Gowda visited (a) Bengaluru for Inauguration of Awareness on “Protection of Children from Sexual Offences Act, 2012” on 27th July, 2013 and (b) Gulbarga, Karnataka for Inauguration of High Court Permanent Bench at Gulbarga on 31st August, 2013.
18. Hon'ble Mr. Justice Pinaki Chandra Ghose visited (a) Guwahati to attend the “First Regional Judicial Conference on “Role of Courts in upholding Rule of Law” (East Zone) on 31st August, 2013 and (b) Kolkata (i) to attend the 15th meeting of the General Council of the W.B. National University of Juridical Sciences during the period from 13th to 15th September, 2013 and (ii) to attend the 7th Regional Conference of the State Legal Services Authority, W. B. on 28th September, 2013 and the Last Regional Conference on 29th September, 2013.
19. Hon'ble Mr. Justice Kurian Joseph visited (a) Chavakkad (Kerala) for inauguration of Sub-Court at Chavakkad on 27th July, 2013; (b) Cochin for inauguration of Conference on “Cyber Law” at Cochin University on 17th August, 2013; (c) Bengaluru to attend the Academic Council meeting of the National Law School of India University, Bengaluru on 31st August, 2013 and (d) Ernakulam to chair the session of the training programme conducted by National Judicial Academy on 28th September, 2013.
20. Hon'ble Mr. Justice A. K. Sikri visited (a) Sonipat (Haryana) to attend the Second Convocation Ceremony of the O. P. Jindal Global University on 7th August, 2013; (b) Bengaluru to attend Annual Convocation of National Law School of India University during the period from 30th August to 1st September, 2013; (c) Chandigarh to attend North Zone Regional Conference on Mediation during the period from 13th to 14th September, 2013 and (d) Indore to attend the 'Induction Programme & Introductory Session of National Symposium 2013' during the period from 21st to 22nd September, 2013.