



COURT NEWS

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EDITORIAL BOARD

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

COMPILED BY

Ravindra Maithani, Secretary General, Supreme Court of India
Bibhuti Bhushan Bose, Editor, Supreme Court Reports

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LIST OF SUPREME COURT JUDGES

(As on 31-03-2017)

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

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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 01-01-2017 TO 31-03-2017)**

APPOINTMENTS

S. No.	Name of the Hon'ble Judge	Date of Appointment
1.	Hon'ble Mr. Justice Sanjay Kishan Kaul	17-02-2017
2.	Hon'ble Mr. Justice Mohan M. Shantanagoudar	17-02-2017
3.	Hon'ble Mr. Justice S. Abdul Nazeer	17-02-2017
4.	Hon'ble Mr. Justice Navin Sinha	17-02-2017
5.	Hon'ble Mr. Justice Deepak Gupta	17-02-2017

RETIREMENT

Name of the Hon'ble Judge	Date of Retirement
Hon'ble Shri T.S. Thakur, Chief Justice of India	04-01-2017

**APPOINTMENTS AND RETIREMENTS
IN THE HIGH COURTS
(FROM 01-01-2017 TO 31-03-2017)**

S. No.	Name of the High Court	Name of the Hon'ble Judge	Date of Appointment
1	Allahabad	Ashok Kumar	20-02-17
		Vivek Chaudhary	20-02-17
		Saumitra Dayal Singh	20-02-17
2	Chhattisgarh	T.B. Radhakrishnan (As Chief Justice)	18-03-17
3	Jharkhand	P.K. Mohanty (As Chief Justice)	24-03-17
4	Karnataka	N.K.Sudhindrarao	21-02-17
		Dr. H.B.P.Sastry	21-02-17
5	Kerala	Navaniti Prasad Singh (As Chief Justice)	20-03-17
6	Madhya Pradesh	Hemant Gupta (As Chief Justice)	18-03-17
7	Patna	Rajendra Menon (As Chief Justice)	15-03-17
8	Telangana & Andhra Pradesh	Javalakar Uma Devi (Andhra Pradesh)	17-01-17
		Nakka Balayogi (Andhra Pradesh)	17-01-17
		Telaprolu Rajani (Andhra Pradesh)	17-01-17
		Dr. Shameem Akther (Telangana)	17-01-17

VACANCIES IN THE COURTS

A) SUPREME COURT OF INDIA (As on 31-03-2017)

Sanctioned Strength	Working strength	Vacancies
31	28	03

B) HIGH COURTS (As on 31-03-2017)

S.No.	Name of the High Court	Sanctioned Strength	Working Strength	Vacancies
1	Allahabad	160	85	75
2	Hyderabad (A.P & Telangana)	61	27	34
3	Bombay	94	61	33
4	Calcutta	72	35	37
5	Chhatisgarh	22	11	11
6	Delhi	60	35	25
7	Gujarat	52	31	21
8	Gauhati	24	17	7
9	Himachal Pradesh	13	9	4
10	Jammu & Kashmir	17	9	8
11	Jharkhand	25	13	12
12	Karnataka	62	31	31
13	Kerala	47	36	11
14	Madhya Pradesh	53	36	17
15	Madras	75	54	21
16	Manipur	5	3	2
17	Meghalaya	4	3	1
18	Orissa	27	19	8
19	Patna	53	29	24
20	Punjab & Haryana	85	46	39
21	Rajasthan	50	33	17
22	Sikkim	3	2	1
23	Tripura	4	2	2
24	Uttarakhand	11	7	4
Total		1079	634	445

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

C) DISTRICT & SUBORDINATE COURTS (As on 31-03-2017)

S.No.	State/ Union Territory	Sanctioned Strength	Working Strength	Vacancies
1	Uttar Pradesh	3177	1896	1281
2	Andhra Pradesh & Telangana	977	877	100
3(a)	Maharashtra	2260	2223	37
3(b)	Goa	57	49	8
3(c)	Diu and Daman & Silvassa	7	6	1
4	West Bengal and Andaman & Nicobar	1013	915	98
5	Chhatisgarh	395	355	40
6	Delhi	799	488	311
7	Gujarat	1506	1105	401
8(a)	Assam	425	307	118
8(b)	Nagaland	33	24	9
8(c)	Mizoram	63	30	33
8(d)	Arunachal Pradesh	26	17	9
9	Himachal Pradesh	155	149	6
10	Jammu & Kashmir	247	216	31
11	Jharkhand	673	443	230
12	Karnataka	1300	923	377
13(a)	Kerala	493	432	61
13(b)	Lakshadweep	3	2	1
14	Madhya Pradesh	1461	1296	165
15	Manipur	41	34	7
16	Meghalaya	91	41	50
17(a)	Tamil Nadu	1058	933	125
17(b)	Puducherry	26	12	14
18	Odisha	862	595	267
19	Bihar	1825	1034	791
20(a)	Punjab	674	542	132
20(b)	Haryana	644	499	145
20(c)	Chandigarh	30	30	0
21	Rajasthan	1203	1072	131
22	Sikkim	23	13	10
23	Tripura	106	75	31
24	Uttarakhand	291	216	75
TOTAL		21944	16849	5095

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

INSTITUTION, DISPOSAL AND PENDENCY OF CASES IN THE SUPREME COURT [01-01-2017 to 31-03-2017]

i) Table I

						Pendency (At the end of 31-12-2016)		
						Admission matters	Regular matters	Total matters
						36,105	26,432	62,537
Institution (01-01-2017 to 31-03-2017)			Disposal (01-01-2017 to 31-03-2017)			Pendency (At the end of 31-03-2017)		
Admission matters	Regular matters	Total matters	Admission matters	Regular matters	Total matters	Admission matters	Regular matters	Total matters
17,744	2,955	20,699	19,542	2,350	21,892	34,307	27,037	61,344

Note:

1. Out of the 61,344 pending matters as on 31-03-2017, if connected matters are excluded, the pendency is only of 34,499 matters as on 31-03-2017.
2. Out of the said 61,344 pending matters as on 31-03-2017, 17,453 matters are upto one year old and thus arrears (i.e. cases pending more than a year) are only of 43,891 matters as on 31-03-2017.

ii) Table II

	OPENING BALANCE AS ON 01-01-17	INSTITUTION FROM 01-01-17 TO 31-03-17	DISPOSAL FROM 01-01-17 TO 31-03-17	PENDENCY AT THE END OF 31-03-17
CIVIL CASES	51,525	15,599	16,076	51,048
CRIMINAL CASES	11,012	5,100	5,816	10,296
ALL CASES (TOTAL)	62,537	20,699	21,892	61,344

INSTITUTION, DISPOSAL AND PENDENCY OF CASES IN THE HIGH COURTS (FROM 01-01-2017 TO 31-03-2017)

Sri. No.	Name of the High Court	Cases brought forward from the previous Year (Nos.) (Civil/Crl.) As on 01/01/2017			Freshly instituted Cases during this Quarter (Jan- Mar 2017) Nos. (Civil/Crl.)			Disposed of Cases during this Quarter (Jan- Mar 2017) Nos. (Civil/Crl.)			Pending Cases at the end of this Quarter (Jan -Mar 2017) Nos. (Civil/Crl.) (As on 31/03/2017)			% of Institution of Cases w.r.t Opening Balance as on 1/1/2017	% of Disposal of Cases w.r.t Opening Balance as on 1/1/2017	% Increase or Decrease in Pendency w.r.t Opening Balance as on 1/1/2017
		CIVIL	CRL.	(Civ + Crl.)	CIVIL	CRL.	(Civ + Crl.)	CIVIL	CRL.	(Civ + Crl.)	CIVIL	CRL.	(Civ + Crl.)			
1	Allahabad	550375	365671	916046	29125	35806	64931	33051	35291	68342	546449	366186	912635	7.09	7.46	-0.37
2	Hyderabad (A.P & Telangana)	249855	41906	291761	17718	4143	21861	12467	3509	15976	255106	42540	297646	7.49	5.48	2.02
3	Bombay	210459	51190	261649	23366	6447	29813	21581	5565	27146	212244	52072	264316	11.39	10.37	1.02
4	Calcutta	180098	38966	219064	14135	4014	18149	12390	4566	16956	181843	38414	220257	8.28	7.74	0.54
5	Chhatisgarh	35078	20564	55642	4901	3953	8854	4365	3402	7767	35614	21115	56729	15.91	13.96	1.95
6	Delhi	49358	17724	67082	7425	3827	11252	7673	3562	11235	49110	17989	67099	16.77	16.75	0.03
7	Gujarat	48828	34018	82846	14875	12005	26880	10943	11560	22503	52760	34463	87223	32.45	27.16	5.28
8	Gauhati	24044	5425	29469	3535	583	4118	3284	537	3821	24295	5471	29766	13.97	12.97	1.01
9	Himachal Pradesh	24215	5659	29874	2968	720	3688	2996	766	3762	24187	5613	29800	12.35	12.59	-0.25
10	Jammu & Kashmir	53909	5495	59404	2946	706	3652	2576	468	3044	54279	5733	60012	6.15	5.12	1.02
11	Jharkhand	44568	41189	85757	2893	6739	9632	2658	5929	8587	44803	41999	86802	11.23	10.01	1.22
12	Karnataka	253613	24007	277620	31680	5432	37112	26637	3960	30597	258656	25479	284135	13.37	11.02	2.35
13	Kerala	128355	38380	166735	18419	6408	24827	16758	6427	23185	130016	38361	168377	14.89	13.91	0.98
14	Madhya Pradesh	180952	108493	289445	18524	16913	35437	17727	15920	33647	181749	109486	291235	12.24	11.62	0.62
15	Madras	262585	35030	297615	20874	12453	33327	21244	12118	33362	262215	35365	297580	11.20	11.21	-0.01
16	Manipur	3169	117	3286	355	10	365	378	14	392	3146	113	3259	11.11	11.93	-0.82
17	Meghalaya	667	33	700	83	16	99	98	18	116	652	31	683	14.14	16.57	-2.43
18	Orissa#	127712	40450	168162	7933	9416	17349	8484	6932	15416	127161	42934	170095	10.32	9.17	1.15
19	Patna	82874	51585	134459	7887	18762	26649	7720	15604	23324	83041	54743	137784	19.82	17.35	2.47
20	Punjab & Haryana	209997	92316	302313	17794	15227	33021	13421	12160	25581	214370	95383	309753	10.92	8.46	2.46
21	Rajasthan	184964	69765	254729	14659	13106	27765	16559	12873	29432	183064	69998	253062	10.90	11.55	-0.65
22	Sikkim	129	41	170	29	11	40	19	5	24	139	47	186	23.53	14.12	9.41
23	Tripura	2507	411	2918	589	119	708	838	119	957	2258	411	2669	24.26	32.80	-8.53
24	Uttarakhand	22564	9440	32004	2280	1724	4004	2307	1511	3818	22537	9653	32190	12.51	11.93	0.58
	Total	2930875	1097875	4028750	264993	178540	443533	246174	162816	408990	2949694	1113599	4063293	11.01	10.15	0.86

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

Figures modified by the High Court concerned.

INSTITUTION, DISPOSAL AND PENDENCY OF CASES IN THE DISTRICT & SUBORDINATE COURTS (FROM 01-01-2017 TO 31-03-2017)

Srl. No	Name of the State/UT	Cases brought forward from the previous Year (Nos.) (Civ/Crl.) As on 01/01/2017			Freshly instituted Cases (Nos.) during this Quarter (Jan-Mar 2017) (Civ/Crl.)			Disposed of Cases (Nos.) during this Quarter (Jan-Mar 2017) (Civ/Crl.)			Pending Cases (Nos.) at the end of this Quarter (Jan-Mar 2017) (Civ/Crl.) (As on 31/03/2017)			% of Institution of Cases w.r.t Opening Balance as on 1/1/17	% of Disposal of Cases w.r.t Opening Balance as on 1/1/17	% Increase or Decrease in Pendency w.r.t Opening Balance as on 1/1/17
		CIVIL	CRL.	(Civ + Crl.)	CIVIL	CRL.	(Civ + Crl.)	CIVIL	CRL.	(Civ + Crl.)	CIVIL	CRL.	(Civ + Crl.)			
1	Uttar Pradesh	1523215	4456856	5980071	121722	705788	827510	126453	571095	697548	1518484	4591549	6110033	13.84	11.66	2.17
2	Andhra Pradesh & Telangana	508115	569829	1077944	64211	118555	182766	61154	132144	193298	511172	556240	1067412	16.96	17.93	-0.98
3(a)	Maharashtra	1121453	2118087	3239540	97738	546962	644700	92950	505541	598491	1126241	2159508	3285749	19.90	18.47	1.43
3(b)	Goa	24924	17150	42074	3016	5013	8029	2606	4986	7592	25334	17177	42511	19.08	18.04	1.04
3(c)	Diu and Daman	866	854	1720	170	261	431	156	286	442	880	829	1709	25.06	25.70	-0.64
3(d)	Silvassa	1533	2233	3766	98	206	304	165	295	460	1466	2144	3610	8.07	12.21	-4.14
4(a)	West Bengal*	560684	2168069	2728753	36981	293535	330516	34492	266679	301171	563173	2194925	2758098	12.11	11.04	1.08
4(b)	Andaman & Nicobar	3507	5260	8767	230	1835	2065	147	1327	1474	3590	5768	9358	23.55	16.81	6.74
5	Chhatisgarh	65580	224854	290434	7931	39629	47560	10148	47057	57205	63363	217426	280789	16.38	19.70	-3.32
6	Delhi	172315	463806	636121	33806	153718	187524	30588	125568	156156	175533	491956	667489	29.48	24.55	4.93
7	Gujarat	551881	1270430	1822311	41820	235470	277290	59434	279389	338823	534267	1226511	1760778	15.22	18.59	-3.38
8(a)	Assam	68205	190434	258639	9335	62551	71886	8806	51617	60423	68734	201368	270102	27.79	23.36	4.43
8(b)	Nagaland	1668	2762	4430	66	422	488	28	421	449	1706	2763	4469	11.02	10.14	0.88
8(c)	Mizoram	2085	2580	4665	1579	1634	3213	1474	1407	2881	2190	2807	4997	68.87	61.76	7.12
8(d)	Arunachal Pradesh	3023	11560	14583	512	1252	1764	582	1567	2149	2953	11245	14198	12.10	14.74	-2.64
9	Himachal Pradesh	101254	133939	235193	19127	63617	82744	17329	58546	75875	103052	139010	242062	35.18	32.26	2.92
10	Jammu & Kashmir	49251	96748	145999	6562	15534	22096	5938	15031	20969	49875	97251	147126	15.13	14.36	0.77
11	Jharkhand*	63827	277491	341318	4667	34275	38942	6301	35116	41417	62193	276650	338843	11.41	12.13	-0.73
12	Karnataka	701928	660239	1362167	86843	219022	305865	83780	208960	292740	704991	670301	1375292	22.45	21.49	0.96
13(a)	Kerala	417790	1064877	1482667	65038	229901	294939	85539	182376	267915	397289	1112402	1509691	19.89	18.07	1.82
13(b)	Lakshadweep	153	204	357	23	38	61	20	52	72	156	190	346	17.09	20.17	-3.08
14	Madhya Pradesh	280796	979841	1260637	55850	242344	298194	48726	236107	284833	287920	986078	1273998	23.65	22.59	1.06
15	Manipur	3637	3341	6978	386	791	1177	416	739	1155	3607	3393	7000	16.87	16.55	0.32
16	Meghalaya	3543	11696	15239	245	1748	1993	424	1869	2293	3364	11575	14939	13.08	15.05	-1.97
17(a)	Tamil Nadu*	621039	451033	1072072	78992	150495	229487	86893	149304	236197	613138	452224	1065362	21.41	22.03	-0.63
17(b)	Puducherry	13882	14273	28155	2019	1500	3519	2578	1562	4140	13323	14211	27534	12.50	14.70	-2.21
18	Odisha	273756	775569	1049325	16828	107681	124509	14256	90418	104674	276328	792832	1069160	11.87	9.98	1.89
19	Bihar	339856	1788469	2128325	18650	86568	105218	18088	76075	94163	340418	1798962	2139380	4.94	4.42	0.52
20(a)	Punjab	244960	259360	504320	47757	115348	163105	47133	103489	150622	245584	271219	516803	32.34	29.87	2.48
20(b)	Haryana	244422	303314	547736	44857	129043	173900	40813	99321	140134	248466	333036	581502	31.75	25.58	6.16
20(c)	Chandigarh	15377	23530	38907	3772	21489	25261	3145	20521	23666	16004	24498	40502	64.93	60.83	4.10
21	Rajasthan	474964	1099022	1573986	66302	366271	432573	65686	353997	419683	475580	1111296	1586876	27.48	26.66	0.82
22	Sikkim	474	960	1434	110	314	424	151	294	445	433	980	1413	29.57	31.03	-1.46
23	Tripura	10154	138121	148275	1685	43496	45181	1765	46495	48260	10074	135122	145196	30.47	32.55	-2.08
24	Uttarakhand	32062	158886	190948	5602	42150	47752	4894	34518	39412	32770	166518	199288	25.01	20.64	4.37
	Total	8502179	19745677	28247856	944530	4038456	4982986	963058	3704169	4667227	8483651	20079964	28563615	17.64	16.52	1.12

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

Figures modified by the High Court concerned.

SOME SUPREME COURT JUDGMENTS/ORDERS PUBLIC IMPORTANCE (01-01-2017 TO 31-03-2017)

1. On 2nd January, 2017, in the case of *Imtiyaz Ahmad v. State of U.P. & Ors.* [Criminal Appeal Nos. 254 – 262 of 2012], while expressing concern with the pendency of cases before the High Courts, where proceedings were stayed at the stage of the registration of an FIR, investigation, framing of charges or during trial, a three Judge Bench observed that it is necessary to provide for the required judge strength in every State district judiciary so as to facilitate the creation of infrastructure, and *inter alia* directed as follows:-

(i) Until the National Court Management Systems Committee (NCMSC) “formulates a scientific method for determining the basis for computing the required judge strength of the district judiciary, the judge strength shall be computed for each state, in accordance with the interim approach indicated in the note submitted by the Chairperson, NCMSC”;

ii) “NCMSC is requested to endeavour the submission of its final report by 31 December 2017”;

iii) “A copy of the interim report submitted by the Chairperson, NCMSC shall be forwarded by the Union Ministry of Law and Justice to the Chief Justices of all the High Courts and Chief Secretaries of all states within one month so as to enable them to take follow-up action to determine the required judge strength of the district judiciary based on the NCMSC interim report, subject to what has been stated in this judgment”;

iv) “The state governments shall take up with the High Courts concerned the task of implementing the interim report of the Chairperson, NCMSC (subject to what has been observed above) and take necessary decisions within a period of three months from today for enhancing the required judge strength of each state judiciary accordingly”;

v) “The state governments shall cooperate in all respects with the High Courts in terms of the resolutions passed in the joint conference of Chief Justices and Chief Ministers in April 2016 with a view to ensuring expeditious disbursement of funds to the state judiciaries in terms of the devolution made under the auspices of the Fourteenth Finance Commission”;

vi) "The High Courts shall take up the issue of creating additional infrastructure required for meeting the existing sanctioned strength of their state judiciaries and the enhanced strength in terms of the interim recommendation of NCMSC";

vii) "The final report submitted by NCMSC may be placed for consideration before the Conference of Chief Justices. The directions in (i) above shall then be subject to the ultimate decision that is taken on receipt of the final report"; and

viii) "A copy of this order shall be made available to the Registrars General of each High Court and to all Chief Secretaries of the States for appropriate action".

2. On 2nd January, 2017, in the case of *Vitusah Oberoi and Ors. v. Court of its own motion* [Criminal Appeal No. 1234 of 2007], it was held that there is nothing in the Contempt of Courts Act, 1971 or in Article 215 of the Constitution "which can be said to empower the High Court to initiate proceedings *suo-motu* or otherwise for the contempt of a superior Court like the Supreme Court of India." It was observed that "one of the recognised attributes of a court of record is the power to punish for its contempt and the contempt of courts subordinate to it. That is precisely why Articles 129 and 215, while declaring the Supreme Court and the High Courts as Courts of Record, recognise the power vested in them to punish for their own contempt. The use of the expression "including" in the said provisions is explanatory in character. It signifies that the Supreme Court and the High Courts shall, as Courts of Records, exercise all such powers as are otherwise available to them including the power to punish for their own contempt."

3. On 2nd January, 2017, in the case of *Krishna Kumar Singh & Anr. v. State of Bihar & Ors.* [Civil Appeal No.5875 of 1994], a seven-judge Bench examined the power of the Executive to make law through ordinance, and *inter alia* held per majority, that the power conferred upon the President under Article 123 of the Constitution and the Governor under Article 213 is legislative in character and "is conditional in nature" as "it can be exercised only when the legislature is not in session and subject to the satisfaction of the President or, as the case may be, of the Governor that circumstances exist which render it necessary to take immediate action."

It was held that "an Ordinance which is promulgated under Article 123 or Article 213 has the same force and effect as a law enacted by the legislature but it must (i) be laid before the legislature; and (ii) it will cease to operate six weeks after the legislature has reassembled or, even earlier if a resolution disapproving it is passed. Moreover, an Ordinance may also be withdrawn". It was clarified that "the Ordinance making power does not constitute the President or the Governor into a parallel source of law making or an independent legislative authority" and that "consistent with the principle of legislative supremacy, the power to promulgate ordinances is subject to legislative control."

The Bench held that “the requirement of laying an Ordinance before Parliament or the state legislature is a mandatory constitutional obligation cast upon the government. Laying of the ordinance before the legislature is mandatory because the legislature has to determine: (a) The need for, validity of and expediency to promulgate an ordinance; (b) Whether the Ordinance ought to be approved or disapproved; (c) Whether an Act incorporating the provisions of the ordinance should be enacted (with or without amendments)”. “The failure to comply with the requirement of laying an ordinance before the legislature is a serious constitutional infraction and abuse of the constitutional process”. It was held that “re-promulgation of ordinances is a fraud on the Constitution and a sub-version of democratic legislative processes”.

It was further held that “the satisfaction of the President under Article 123 and of the Governor under Article 213 is not immune from judicial review particularly after the amendment brought about by the forty-fourth amendment to the Constitution by the deletion of clause 4 in both the articles. The test is whether the satisfaction is based on some relevant material. The court in the exercise of its power of judicial review will not determine the sufficiency or adequacy of the material. The court will scrutinise whether the satisfaction in a particular case constitutes a fraud on power or was actuated by an oblique motive. Judicial review in other words would enquire into whether there was no satisfaction at all.”

4. On 2nd January, 2017, in the case of *Abhiram Singh v. C.D. Commachen (Dead) by Lrs. & Ors.* [Civil Appeal No. 37 of 1992], while interpreting Section 123(3) of the Representation of the People Act, 1951, a seven Judge Bench, per majority, *inter alia* held that the “provisions of sub-section (3) of Section 123 of the Representation of the People Act, 1951 are required to be read and appreciated in the context of simultaneous and contemporaneous amendments inserting sub-section (3A) in Section 123 of the Act and inserting Section 153A in the Indian Penal Code.” It was held that “so read together, and for maintaining the purity of the electoral process and not vitiating it, sub-section (3) of Section 123 of the Representation of the People Act, 1951 must be given a broad and purposive interpretation thereby bringing within the sweep of a corrupt practice any appeal made to an elector by a candidate or his agent or by any other person with the consent of a candidate or his election agent to vote or refrain from voting for the furtherance of the prospects of the election of that candidate or for prejudicially affecting the election of any candidate on the ground of the religion, race, caste, community or language of (i) any candidate or (ii) his agent or (iii) any other person making the appeal with the consent of the candidate or (iv) the elector.” However, it was held that “it is a matter of evidence for determining whether an appeal has at all been made to an elector and whether the appeal if made is in violation of the provisions of sub-section (3) of Section 123 of the Representation of the People Act, 1951.”

5. On 2nd January, 2017, in the case of *Allahabad Bank & Ors. v. Krishna Narayan Tewari* [Civil Appeal No.7600 of 2014], it was held that the though “it is true that a

writ court is very slow in interfering with the findings of facts recorded by a Departmental Authority on the basis of evidence available on record”, “but it is equally true that in a case where the Disciplinary Authority records a finding that is unsupported by any evidence whatsoever or a finding which no reasonable person could have arrived at, the writ court would be justified if not duty bound to examine the matter and grant relief in appropriate cases. The writ court will certainly interfere with disciplinary enquiry or the resultant orders passed by the competent authority on that basis if the enquiry itself was vitiated on account of violation of principles of natural justice, as is alleged to be the position in the present case. Non-application of mind by the Enquiry Officer or the Disciplinary Authority, non-recording of reasons in support of the conclusion arrived at by them are also grounds on which the writ courts are justified in interfering with the orders of punishment.”

It was further held that “in cases where the High Court finds the enquiry to be deficient either procedurally or otherwise the proper course always is to remand the matter back to the concerned authority to redo the same afresh. That course could have been followed even in the present case. The matter could be remanded back to the Disciplinary Authority or to the Enquiry Officer for a proper enquiry and a fresh report and order. But that course may not have been the only course open in a given situation. There may be situations where because of a long time lag or such other supervening circumstances the writ court considers it unfair, harsh or otherwise unnecessary to direct a fresh enquiry or fresh order by the competent authority.”

6. On 4th January, 2017, in the case of *Gopal and Sons (HUF) v. CIT Kolkata -XI* [Civil Appeal No. 12274 of 2016], it was held that even if a Hindu Undivided Family (HUF) is not a registered shareholder in a company, as per the provisions of Section 2(22)(e) of the Income Tax Act, 1961, once the payment is received by the HUF and a shareholder is a member of the said HUF and he has substantial interest in the HUF, the payment made to the HUF shall constitute deemed dividend within the meaning of clause (e) of Section 2(22) of the Act.

7. On 6th January, 2017, in the case of *Ajay Singh and Anr. and Etc. v. State of Chattisgarh and Anr.* [Criminal Appeal Nos. 32-33 of 2017], it was observed that “a trial Judge should remember that he has immense responsibility as he has a lawful duty to record the evidence in the prescribed manner keeping in mind the command postulated in Section 309 of the CrPC and pronounce the judgment as provided under the Code. A Judge in charge of the trial has to be extremely diligent so that no dent is created in the trial and its eventual conclusion.”

8. On 14th February, 2017, in the case of *State of Karnataka v. Selvi J. Jayalitha & Ors.* [Criminal Appeal Nos.300 - 303 of 2017], wherein charges were framed against A1 – former Chief Minister of the State of Tamil Nadu and the co-accused viz. A2, A3 and A4 (respondents), for commission of alleged offences punishable under Section 13(1)(e) read with Section 13(2) of the Prevention of Corruption Act, 1988 and further under Section 120-B and Section 109 of IPC, it was held that A1 to A4

had “entered into a conspiracy and in furtherance of the same, A1 who was a public servant at the relevant time had come into possession of assets disproportionate to the known sources of her income during the check period and had got the same dispersed in the names of A2 to A4 and the firms & companies involved to hold these on her behalf with a masked front.” Furthermore, it was held that “the charge of abetment laid against A2 to A4 in the commission of the offence by A1 also stands proved.”

It was held that as the sole public servant had died being A1 in this matter, and appeals against her had abated, even then A2 to A4 “were liable to be convicted and sentenced in the manner as has been held by the Trial Judge.” It was held that “private individuals can be prosecuted by the Court on the ground that they have abetted the act of criminal misconduct falling under Section 13(1)(e) of the 1988 Act committed by the public servant” and furthermore, the reasoning given by the Trial Court in respect of criminal conspiracy and abetment was correct “in the face of the overwhelming evidence indicating the circumstances of active abetment and conspiracy by A2 to A4 in the commission of the above offences under Section 13(1)(e) of the 1988 Act.” Having regard to the fact that the charge framed against A2 to A4 was proved, the conviction and sentence recorded against them by the Trial Court was restored in full.

9. On 14th February, 2017, in the case of *Shyam Narayan Chouksey v. Union of India* [Writ Petition (Civil) No. 855 of 2016], with reference to its earlier order dated 30th November, 2016, it was clarified that when the National Anthem is sung or played in the storyline of a feature film or as a part of the newsreel or documentary, “apart from what has been stated in the order dated 30.11.2016, the audience need not stand.”

10. On 16th February, 2017, in the case of *T.A. Kathiru Kunju v. Jacob Mathai & Anr.* [Civil Appeal No.3860 of 2007] wherein the respondent had lodged a complaint before the Bar Council that he had engaged appellant as an Advocate to file a case under the Negotiable Instruments Act, 1881 for bouncing of a cheque, but instead of filing such a complaint, the appellant felt it apposite to file a complaint case under Section 420 IPC, and also did not return the cheque to the respondent; the Disciplinary Committee of the Bar Council of India had found the appellant-Advocate guilty of gross negligence in discharge of his professional service to the respondent. While setting aside the order of the Disciplinary Committee of the Bar Council of India, it was held that the act of the appellant could not be treated to be in the realm of gross negligence and was only one of negligence.

11. On 1st March, 2017, in the case of *Dnyandeo Sabaji Naik and Anr. v. Mrs. Pradnya Prakash Khadekar and Ors* [SLP (C) Nos. 25331-33 of 2015], a three Judge Bench observed that the Supreme Court must view with disfavour any attempt by a litigant to abuse the process.

While observing that Courts across the legal system - this Court not being an exception – are choked with litigation and “frivolous and groundless filings constitute a serious menace to the administration of justice” with the process of dispensing justice being “misused by the unscrupulous to the detriment of the legitimate”, it was held that “this tendency can be curbed only if courts across the system adopt an institutional approach which penalizes such behavior. Liberal access to justice does not mean access to chaos and indiscipline. A strong message must be conveyed that courts of justice will not be allowed to be disrupted by litigative strategies designed to profit from the delays of the law. Unless remedial action is taken by all courts here and now our society will breed a legal culture based on evasion instead of abidance. It is the duty of every court to firmly deal with such situations. The imposition of exemplary costs is a necessary instrument which has to be deployed to weed out, as well as to prevent the filing of frivolous cases. It is only then that the courts can set apart time to resolve genuine causes and answer the concerns of those who are in need of justice. Imposition of real time costs is also necessary to ensure that access to courts is available to citizens with genuine grievances. Otherwise, the doors would be shut to legitimate causes simply by the weight of undeserving cases which flood the system.”

12. On 1st March, 2017, in the case of *N. Parameswaran Unni v. G. Kannan and Another* [Criminal Appeal No.455 of 2006], it was held that generally there is no bar under the Negotiable Instruments Act, 1881 “to send a reminder notice to the drawer of the cheque and usually such notice cannot be construed as an admission of non-service of the first notice”.

13. On 3rd March, 2017, in the case of *Sasi (D) Through Lrs. v. Aravindakshan Nair and Others* [SLP (Civil) No. 16331 of 2017 (arising out of CC 4339 / 2017)], it was observed that “an endeavour has to be made by the High Courts to dispose of the applications for review with expediency. It is the duty and obligation of a litigant to file a review and not to keep it defective as if a defective petition can be allowed to remain on life support, as per his desire. It is the obligation of the counsel filing an application for review to cure or remove the defects at the earliest. The prescription of limitation for filing an application for review has its own sanctity. The Registry of the High Courts has a duty to place the matter before the Judge/Bench with defects so that there can be pre-emptory orders for removal of defects. An adroit method cannot be adopted to file an application for review and wait till its rejection and, thereafter, challenge the orders in the special leave petition and take specious and mercurial plea asserting that delay had occurred because the petitioner was prosecuting the application for review. There may be absence of diligence on the part of the litigant, but the Registry of the High Courts is required to be vigilant.”

14. On 7th March, 2017, in the case of *National Securities Depository Ltd. v. Securities and Exchange Board of India* [Civil Appeal No.5173 of 2006], while examining the question as to whether an administrative circular issued by SEBI under Section 11(1) of the Securities Exchange Board of India Act, 1992, can be the

subject matter of appeal under Section 15T of the said Act, it was held that “it is orders referable to Sections 11(4), 11(b), 11(d), 12(3) and 15-I of the Act, being quasi-judicial orders, and quasi judicial orders made under the Rules and Regulations that are the subject matter of appeal under Section 15T.” It was observed that administrative orders such as circulars issued referable to Section 11(1) of the Act are outside the appellate jurisdiction of the Securities Appellate Tribunal.

15. On 7th March, 2017, in the case of *Secretary to Govt. Commercial Taxes and Registration Department, Secretariat and Anr. v. A. Singamuthu* [Civil Appeal No.3770 of 2017], it was observed that “generally, while directing that temporary or part-time appointments be regularised or made permanent, the courts are swayed by the long period of service rendered by the employees. However, this may not be always a correct approach to adopt especially when the scheme of regularisation is missing from the rule book and regularisation casts huge financial implications on public exchequer.”

16. On 9th March, 2017, in the case of *Hussain and Anr. v. Union of India* [Criminal Appeal No.509 of 2017], the Chief Justices of all High Courts were asked to forthwith take appropriate steps consistent with the directions of the Supreme Court in earlier cases and Resolution of Chief Justices’ Conference and to have appropriate monitoring mechanism in place on the administrative side as well as on the judicial side for speeding up disposal of cases of undertrials pending in subordinate courts and appeals pending in the High Courts. It was *inter alia* directed as follows:-

“(i) The High Courts may issue directions to subordinate courts that –

- (a) Bail applications be disposed of normally within one week;
 - (b) Magisterial trials, where accused are in custody, be normally concluded within six months and sessions trials where accused are in custody be normally concluded within two years;
 - (c) Efforts be made to dispose of all cases which are five years old by the end of the year;
 - (d) As a supplement to Section 436A, but consistent with the spirit thereof, if an undertrial has completed period of custody in excess of the sentence likely to be awarded if conviction is recorded such undertrial must be released on personal bond. Such an assessment must be made by the concerned trial courts from time to time;
 - (e) The above timelines may be the touchstone for assessment of judicial performance in annual confidential reports.”
- (ii) “The High Courts are requested to ensure that bail applications filed before them are decided as far as possible within one month and criminal appeals where accused are in custody for more than five years are concluded at the earliest”;
 - (iii) “The High Courts may prepare, issue and monitor appropriate action plans for the subordinate courts”;

(iv) "The High Courts may monitor steps for speedy investigation and trials on administrative and judicial side from time to time";

(v) "The High Courts may take such stringent measures" as may be found necessary in the light of judgment of this Court in *Ex. Captain Harish Uppal* case.

17. On 9th March, 2017, in the case of *Krishna Veni Nagam v. Harish Nagam* [Transfer Petition (Civil) No.1912 of 2014], it was directed that "in matrimonial or custody matters or in proceedings between parties to a marriage or arising out of disputes between parties to a marriage, wherever the defendants/respondents are located outside the jurisdiction of the court, the court where proceedings are instituted, may examine whether it is in the interest of justice to incorporate any safeguards for ensuring that summoning of defendant/respondent does not result in denial of justice." It was further directed that "order incorporating such safeguards may be sent along with the summons. The safeguards can be:- i) Availability of video conferencing facility; ii) Availability of legal aid service; iii) Deposit of cost for travel, lodging and boarding in terms of Order XXV CPC; and iv) E-mail address/phone number, if any, at which litigant from out station may communicate."

18. On 10th March, 2017, in the case of *Imax Corporation v. M/s E-City Entertainment (I) Pvt. Ltd.* [Civil Appeal No.3885 of 2017], while addressing the issue as to whether the seat of arbitration itself is a decisive factor to exclude Part-I of the Arbitration and Conciliation Act, 1996, it was held that "the relationship between the seat of arbitration and the law governing arbitration is an integral one." It was held that "the place of arbitration determines the law that will apply to the arbitration and related matters like challenges to the award etc." and "if in pursuance of the arbitration agreement, the arbitration took place outside India, there is a clear exclusion of Part-I of the Arbitration Act."

In the present case, the parties expressly agreed that the arbitration will be conducted according to the ICC Rules of Arbitration and left the place of arbitration to be chosen by the ICC. The ICC in fact, chose London as the seat of arbitration after consulting the parties. The arbitration was held in London without demur from any of the parties. All the awards i.e. the two partial final awards, and the third final award, were made in London and communicated to the parties. Accordingly, it was held that "Part-I has no application because the parties chose and agreed to the arbitration being conducted outside India and the arbitration was in fact held outside India."

19. On 21st March, 2017, in the case of *Om Prakash & Anr. v. Mishri Lal (Dead) Represented by his Lr. Savitri Devi* [Civil Appeal No.4309 of 2017], it was held that "a suit for eviction of a tenant can be maintained by one of the co-owners and it would be no defence to the tenant to question the maintainability of the suit on the ground that the other co-owners were not joined as parties to the suit. The judicially propounded proposition is that when the property forming the subject matter of eviction proceedings is owned by several co-owners, every co-owner owns every

part and every bit of the joint property along with others and thus it cannot be said that he is only a part owner or a fractional owner of the property and that he can alone maintain a suit for eviction of the tenant without joining the other co-owners if such other co-owners do not object.”

20. On 21st March, 2017, in the case of *K. Sitaram & Anr. v. CFL Capital Financial Service Ltd. & Anr.* [Criminal Appeal No.2285 of 2011], it was held that “when a person files a complaint and supports it on oath, rendering himself liable to prosecution and imprisonment if it is false, he is entitled to be believed unless there is some apparent reason for disbelieving him; and he is entitled to have the persons, against whom he complains, brought before the court and tried. The only condition requisite for the issue of process is that the complainant’s deposition must show some sufficient ground for proceeding.”

It was further held that “unless the Magistrate is satisfied that there is sufficient ground for proceeding with the complaint or sufficient material to justify the issue of process, he should not pass the order of issue of process. Where the complainant, who instituted the prosecution, has no personal knowledge of the allegations made in the complaint, the magistrate should satisfy himself upon proper materials that a case is made out for the issue of process. Though under the law, a wide discretion is given to magistrate with respect to grant or refusal of process, however, this discretion should be exercised with proper care and caution.”

21. On 27th March, 2017, in the case of *Union of India v. BESCO Ltd.* [Civil Appeal No.4483 of 2017], while examining the issue as to whether the Chief Justice of a High Court or any person or institution designated by him, while exercising power under Section 11(6) of the Arbitration and Conciliation Act, 1996 is bound to nominate an arbitrator as specified in the agreement for arbitration, it was held that “though an arbitrator is specified in the agreement for arbitration, if circumstances so warrant, the Chief Justice or the designated Judge is free to appoint an independent arbitrator, having due regard to the qualification, if any, and other aspects as required under Section 11(8) of the Act.”

22. On 29th March, 2017, in the case of *M.C. Mehta v. Union of India & Ors.* [I.A. Nos. 487/2017, 491/2017, 494/207, 489/2017, 495/2017 in Writ Petition (Civil) No.13029 of 1985], issue pertaining to the sale and registration and therefore the commercial interests of manufacturers and dealers of such vehicles that do not meet the Bharat Stage-IV ('BS-IV') emission standards as on 1st April, 2017 was examined keeping in mind the potential health hazard of such vehicles being introduced on the road.

It was observed that “the number of such vehicles may be small compared to the overall number of vehicles in the country but the health of the people is far, far more important than the commercial interests of the manufacturers or the loss that they are likely to suffer in respect of the so-called small number of such vehicles.”

While observing that the manufacturers of such vehicles were fully aware that eventually from 1st April, 2017 they would be required to manufacture only BS-IV compliant vehicles but for reasons that are not clear, they chose to sit back and declined to take sufficient pro-active steps”, it was directed that: “(a) On and from 1st April, 2017 such vehicles that are not BS-IV compliant shall not be sold in India by any manufacturer or dealer, that is to say that such vehicles whether two wheeler, three wheeler, four wheeler or commercial vehicles will not be sold in India by any manufacturer or dealer on and from 1st April, 2017. (b) All the vehicle registering authorities under the Motor Vehicles Act, 1988 are prohibited for registering such vehicles on and from 1st April, 2017 that do not meet BS-IV emission standards, except on proof that such a vehicle has already been sold on or before 31st March, 2017.”

MAJOR ACTIVITIES OF NATIONAL JUDICIAL ACADEMY (NJA) (01-01-2017 to 31-03-2017)

Regional Conferences of the National Judicial Academy: In the period January to March 2017, two Regional Conferences were organized for bridging the gap between the higher judiciary and subordinate judiciary. The North Zone Regional Conference was held during 7th and 8th January, 2017 in collaboration with the High Court of Punjab & Haryana and the Chandigarh Judicial Academy. The second Regional conference during this period was held on 25th and 26th February, 2017 in collaboration with the Madras High Court and the Tamil Nadu State Judicial Academy.

Annual National Seminar on Working of CBI Courts and Prevention of Corruption Courts (January 14 -15, 2017): In the Seminar, discussions centred around various issues arising in relation to disputes adjudicated by judges of these Special Courts. The objective of the Seminar was to strengthen the capacity of judges of the CBI & Prevention of Corruption Courts. Deliberations were held on issues related to Investigation of Corruption offences and the role of judges; Arrest and Trial of Public Servants, Appreciation of Electronic Evidence, Cyber Crime, Trial of Economic offences and Extradition of Fugitives and the role of judges in these domains.

Annual National Seminar on Working of the Motor Accident Claims Tribunals in India (January 21-22, 2017): The objective of this Seminar was to provide in-depth understanding of the role of MACT's in the administration of justice. The seminar examined jurisprudential nuances of Motor Vehicles law in India and discussed issues involved in the adjudication of motor accident claims. Deliberations were held on issues relating to assessment of disability by MACTs, liability of third party insurance companies in motor accident claims and determination of just compensation.

Colloquium on Commercial Laws for High Court Justices (January 28- 29, 2017): The participant High Court justices shared experiences on protocols to facilitate effective adjudication of commercial disputes, strengthening enforcement and combating Economic Crimes. The sessions laid stress on Intellectual Property Rights (IPR) regime, emerging Company Law issues, Securities Law, Tax Laws and major contemporary issues pertaining to practical aspects governing commercial and business transactions.

Workshop on the Use of Court Managers at the District Court Level (January 28-29, 2017): The workshop addressed the importance of Court Managers, their role in case management systems and in the implementation of E-Court Project at district court level. The workshop also discussed Human Resource and Financial Resource Management by Court Managers.

Colloquium on Developments in the area of Constitutional Law (February 04-05, 2017): The colloquium provided a forum for discussion and evaluation of the contribution of higher judiciary to the development of Constitutionalism through judicial interpretation. The colloquium discussed challenges faced by justices on the administrative side while exercising supervisory control over subordinate judiciary. Deliberations were held on - The Constitutional Vision of Justice, Separation of Powers, Defining the Contours of Public interest Litigation and its Enforcement; and Supervisory powers of High Courts over Subordinate Courts: Mentor or Monitor.

Annual National Seminar on the Functions of Registrar (Judicial) in different High Courts (February 11-12, 2017): Keeping in view the crucial role of Registrar (Judicial) the objective of the seminar was to help participants understand the role of the Registrar (Judicial) by enabling participating Registrars to come together to discuss individual situations in different Jurisdictions.

Annual National Seminar on the Working of Labour Courts and Industrial Tribunals in India (February 18-19, 2017): The seminar deliberated upon topics frequently echoed in legal discourses on industrial law like the Constitutional vision of social justice: role of the labour courts in nurturing economic environment, contract and outsourced labour and latest legal developments in the area of workmen compensation. The seminar provided a forum for discussions on relevant legislative provisions, a survey of judgments and best practices on issues relating to domestic enquiry, retrenchment, lay off, reinstatement and back wages.

Annual National Seminar on working of the POCSO Courts in India (March 4-5, 2017): The Seminar explored issues faced by POCSO Courts while adjudicating cases under the POCSO Act, 2002. The seminar *inter alia* included discussions on exercise of judicial discretion by POSCO Courts, issues relating to fair trial, determination of age, maintenance of child friendly court rooms and bottlenecks in trial procedures. The seminar further discussed statutory provisions of reverse burden of proof and “presumption” of culpability and obligations of reporting incidents of child abuse. Emerging areas of concern and contemporary issues of child pornography and online ramifications including issues of determining jurisdictions and fixing of liabilities of internet service providers (ISPs), intermediaries etc. formed part of the core issues discussed.

Annual National Seminar on the Functions of Registrar (Administration) In Different High Courts (March 11-12, 2017): The Seminar was conceived to develop synergy and co-ordination amongst Judicial Officers, Ministerial Staff and other stakeholders in the judicial system. The objective of the seminar was to initiate discussions on vital issues relating to the role and responsibility of Registrar (Administration). The seminar addressed issues pertaining to use of ICT in Court administration/Management, Human resource Management: Appointment, Promotion, and Performance Appraisal of High Court Administration: Control, Supervision and Enforcement of Discipline and sharing of best practices and procedures in Court proceedings followed in High Courts.

Colloquium to Develop Parameters for Judicial Performance Assessment (March 18-19, 2017): Recent initiatives in the Indian judicial system as well as in the management sector, focusing on developing performance assessment parameters was deliberated in this Colloquium. Discussions were made on review of existing judicial performance assessment systems, where views of High Courts was taken into consideration.

**MAJOR ACTIVITIES OF
NATIONAL LEGAL SERVICES AUTHORITY (NALSA)
(01-01-2017 to 31-03-2017)**

15th All India Meet of the State Legal Services Authorities: NALSA in association with Delhi State Legal Services Authority (DSLISA) organised the Meet on 18th & 19th March, 2017 at Pravasi Bhartiya Kendra, ChanakyaPuri, New Delhi. The said Meet was inaugurated by Hon'ble Mr. Justice J.S. Khehar, Chief Justice of India & Patron-in-Chief, NALSA in the august presence of Hon'ble Mr. Justice Dipak Misra, Judge, Supreme Court of India & Executive Chairman, NALSA and other dignitaries. The objective of the Meet was to check out strategies for infusing more vibrancy in the legal services institutions all over India and also to discuss the ways and means to enable the needy to access justice and realisation of their rights. The following important resolutions were passed in the said Meet:

- (i) State Legal Services Authorities would take necessary steps in firstly appointing Remand Advocates in all the magisterial courts and the sessions courts, wherever required, and would fix their honorarium at par with the retainer lawyers.
- (ii) A three pronged approach, shall be adopted in disposing of cases in the Lok Adalat. Firstly, in identifying the said cases, secondly, in associating the lawyers of the parties and thirdly, in having pre Lok Adalats conciliatory sittings.
- (iii) The minimum number of visits of Panel Lawyers to the Jail Clinics should be at least four days in a week.
- (iv) All SLSAs shall appoint convicts as Para Legal Volunteers in Jails who will in turn help in providing legal assistance to UTPs or other convicts.
- (v) Permanent Sign Boards and Hoardings be put at conspicuous place in the Jails to publicize about the free legal services.
- (vi) Efforts shall be made by all SLSAs to obtain separate space in all the Jails to run the Legal Services Clinics.
- (vii) Every SLSAs/UTs shall take steps to constitute Permanent Lok Adalats except in affected districts where there were administrative difficulties, within three months. It was also resolved that trainings be also imparted to the Chairpersons and Members in Permanent Lok Adalat through the State Judicial Academies.

In pursuance of the aforesaid resolutions, all State Legal Services Authorities have been requested to give effect to the said resolutions.

FOREIGN DELEGATIONS IN SUPREME COURT (From 01-01-2017 to 31-03-2017)

1. On 9-2-2017, Hon'ble the Chief Justice of India, Hon'ble Mr. Justice Dipak Misra, Hon'ble Mr. Justice J. Chelameswar, Hon'ble Mr. Justice Ranjan Gogoi and Hon'ble Mr. Justice Madan B. Lokur had a meeting with Hon'ble Dr. Navaanperenlei Jantsan, Judge and Acting Chairman and Hon'ble Mr. Dorj Odbayar, Member, The Constitutional Court of Mongolia.
2. On 25-3-2017, Hon'ble the Chief Justice of India had a meeting with H.E. Mr. Laurent Fabius, President of the Constitutional Council of France.

SOME IMPORTANT VISITS AND CONFERENCES (From 01-01-2017 to 31-03-2017)

ABROAD:

Hon'ble Mr. Justice A.K. Sikri visited Australia to attend the Twelfth Multinational Judicial Colloquium on Insolvency organized by INSOL International, UNCITRAL and the World Bank Group held at Sydney from 18th to 19th March, 2017.

INLAND:

1. Hon'ble Mr. Justice Dipak Misra (i) delivered, as a Chief Guest, the Convocation Address at the Tenth Convocation of National Law University, Jodhpur at the University Campus on 15th January, 2017; (ii) attended, as a Chief Guest, the Law Day Function and to deliver Justice Y. V. Chandrachud Memorial Public Lecture on "Expansive horizon of Individual Dignity" at Symbiosis, Viman Nagar Campus, Pune on 11th February, 2017; (iii) delivered, as a Chief Guest, the inaugural address at the National Seminar on "Speedy & Fair Trial of Sessions Cases, Civil Suit and cases under the Protection of Children from Sexual Offences Act, 2012 (POCSO Act) and Writing of Judgments in Civil Suits and Criminal Cases" at Odisha Judicial Academy on 4th March, 2017; and (iv) delivered Key Note Address at the valedictory session of "World Conference on Environment – 2017", at Plenary Hall, Vigyan Bhawan on 26th March, 2017.

2. Hon'ble Mr. Justice J. Chelameswar visited (i) Vijaywada to attend the first anniversary function of Swarna Bharath Trust at Stout near Vijaywada on 8th January, 2017; (ii) Kochi (a) to deliver the Convocation Address on the Tenth Annual Convocation of the National University of Advanced Legal Studies on 14th January, 2017 and (b) to deliver the 5th A Vijayaraghava Variar Memorial Lecture at Tirur, Malapurram on the topic "Arrears – Role of Supreme Court of India" on 15th January, 2017; (iii) Visakhapatnam to attend the 5th P.V. Narasimha Rao Memorial Lecture organized by Lok Nayak Foundation at Dr. B. R. Ambedkar Assembly Hall, Andhra University, Visakhapatnam on 21st January, 2017; (iv) Vijayawada to attend the 34th College Day Celebrations of Sri Durga Malleswara Siddhartha Mahila Kalasala on 28th January, 2017; (v) Hyderabad to attend National Jurists Conference on "Peace & Happy Living" on 12th February, 2017; (vi) Pune to attend the inauguration of Justice P. B. Sawant Fourth National Moot Court Competition – 2017, on 25th February, 2017 and (vii) Guwahati to inaugurate the building of National Law University & Judicial Academy, Assam on 25th March, 2017.

3. Hon'ble Mr. Justice Ranjan Gogoi visited Tripura to lay the foundation stone of the Administrative Building of the High Court of Tripura and inaugurate the 4th Annual Conference of the Judicial Officers of Tripura on 18th March, 2017.

4. Hon'ble Mr. Justice Madan B. Lokur visited (i) Chandigarh to attend the North Zone Regional Conference for the Justices of the High Court and Civil Judge Junior Division at Chandigarh organized by the National Judicial Academy in collaboration with the High Court of Punjab & Haryana on 7th and 8th January, 2017; (ii) Hyderabad to attend an International Academic Programme on "Peace, Stability and Sustainable Development : The Role of Religion" at NALSAR, Hyderabad from 13th to 14th January, 2017; (iii) Chennai to attend the National Conference on Women and Children organized by the High Court of Madras and the Tamil Nadu State Judicial Academy from 21st to 22nd January, 2017; (iv) Lucknow to inaugurate the first Conference of Civil Judges (Senior Division) and Civil Judges (Junior Division) held from 4th and 5th February, 2017; (v) Ranchi to attend Third Round Table Conference : Eastern Region on Effective Implementation of The Juvenile Justice (Care and Protection of Children) Act, 2015 – Focus on Rehabilitation Services and Linkages with the POCSO Act, 2012 organised by Supreme Court Juvenile Justice Committee and supported by UNICEF in Ranchi from 11th to 12th February, 2017; (vi) Vijaywada to attend the Workshop on "Intellectual Property, Commercial & Emerging Laws" as a Guest of Honour organized by JETRO and Andhra Pradesh Economic Development Board from 24th to 25th February, 2017; (vii) Chennai to attend the South Zone Regional Conference on Enhancing the Excellence of the Judicial Institutions : Challenges & Opportunities organized by the National Judicial Academy (NJA) in collaboration with the Madras High Court for Justices of the High Court and Civil Judge Junior Division at Chennai from 25th to 26th February, 2017; (viii) Bengaluru to attend the Orientation Programme for the Special Judges under POCSO Act & Principal Magistrates under JJ Act organized by the Karnataka State Legal Services Authority on 11th March, 2017 and (ix) Hyderabad to attend the General Council Meeting at NALSAR, Hyderabad held on 18th March, 2017.

5. Hon'ble Mr. Justice Pinaki Chandra Ghose visited (i) Hyderabad to attend an International Conference on "Peace, Stability and Sustainable Development : The Role of Religion" at NALSAR University of Law, Hyderabad on 15th January, 2017; (ii) West Bengal to inaugurate the permanent campus of West Bengal Judicial Academy on 25th February, 2017; and (iii) Gandhinagar, Gujarat to preside over the 8th Convocation of the Gujarat National Law University on 18th March, 2017.

6. Hon'ble Mr. Justice Kurian Joseph visited (i) Bengaluru to address on "Fundamental Duties" at Kristu Jayanti College, K. Narayanapura, Kothanur Post, Bengaluru on 21st January, 2017; (ii) Chennai to address at the 2nd Moot Court Competition organized by the Madras Bar Association and N. Natarajan Charitable Trust at the High Court Auditorium, High Court, Chennai; (iii) Coimbatore for inauguration of the Golden Jubilee Celebrations of Avila Convent Matriculation High Secondary School, Venkitapuram, Velandipalayam (Post), Coimbatore on 29th January, 2017; (iv) Kerala, for Annual Lecture at MAR Augusthinose College, Ramapuram, Kerala on 18th February, 2017; (v) Chennai to attend South Zone Regional Conference on enhancing the excellence of the

Judicial Institutions: Challenges & Opportunities organized by National Judicial Academy, Bhopal on 25th February, 2017; (vi) Allahabad to attend Symposium on “Challenges before Judiciary in Indian Democracy” organized by Pt. Kanhaiya Lal Misra Memorial Committee on 5th March, 2017; and (vii) Bhopal to attend “Colloquium to develop parameters for Judicial Performance Assessment” organized by the National Judicial Academy, Bhopal on 18th March, 2017.

7. Hon'ble Mr. Justice A. K. Sikri visited Mumbai to attend the Launch of Young MCIA organized by the Mumbai Centre for International Arbitration on 18th February, 2017.

8. Hon'ble Mr. Justice Sharad Arvind Bobde visited (i) Goa to attend a ceremony releasing the “texts of the English rendering of the Portuguese original of the Civil Code in Goa and Civil Procedure Code in Goa” on 25th February, 2017; (ii) Ranchi to attend 3rd State Level Colloquium on Victim on 4th March, 2017; and (iii) Guwahati to attend the inauguration of the Permanent Campus of The National Law University and Judicial Academy, Assam on 25th March, 2017.

9. Hon'ble Mr. Justice R. K. Agrawal visited (i) Chandigarh to attend the North Zone Regional Conference organized by National Judicial Academy in collaboration with the High Court of Punjab & Haryana on 7th January, 2017; (ii) Ghaziabad to inaugurate 60 Residential flats for Judicial Officers at Model Town Ghaziabad on 27th January, 2017; (iii) NOIDA to judge the final round of 58th Philip C. Jessup International Law Moot Court Competition on 29th January, 2017; (iv) Bhubaneswar to participate in the National Seminar organized by the Odisha Judicial Academy on 4th March, 2017; (v) New Delhi to participate in the National Legal Services Authority's 15th All India Meet of State Legal Services Authorities on 18th March, 2017; (vi) Pune to inaugurate the “7th Justice P. N. Bhagwati International Moot Court Competition at Bharti Vidyapeeth Deemed University, New Law College, Pune on 25th March, 2017 and (vii) Mumbai to judge the final round of NMIMS School of Law National Moot Court Competition on 26th March, 2017.

10. Hon'ble Mr. Justice N. V. Ramana visited Vijaywada to participate in the International Workshop on “Intellectual Property, Commercial and Emerging Laws” from 24th to 25th February, 2017.

11. Hon'ble Mr. Justice Arun Mishra visited (i) Ganj Basoda, Distt. Vidisha, Madhya Pradesh to inaugurate “Legal Seminar” being organized by Advocates Association, Ganj Basoda, Distt. Vidisha, Madhya Pradesh on 28th January, 2017; (ii) Lucknow to deliver a Valedictory Address at the “State Judicial Officers Conference, 2017” at the High Court Auditorium, Lucknow on 5th February, 2017; (iii) Varanasi to attend “National Seminar” on “Family Laws: Contemporary Issues and Challenges” being organized by the Faculty of Law – Banaras Hindu University” on 24th February, 2017; (iv) Bhubaneswar to attend deliver Inaugural Address, Valedictory Address and also attend “National Seminar” on the topic “Speedy and Fair Trial of Sessions Cases, Civil Suits and cases under the POSCO Act, 2012” and “writing judgment in Civil Suit & Criminal Cases” at Odisha Judicial Academy, Cuttack on 4th & 5th March, 2017; and (v) Jaipur (a) to deliver a

Keynote Address on “Role of Judiciary, Executive and Public in prevention of violence in Healthcare Institutions”, (ii) to attend as Chief Guest and deliver Lecture on the ceremony for laying down auspicious stone of setting up the new e-library of Rajasthan High Court, Jaipur Bench, Jaipur, on 25th March, 2017 and (iii) participate as Chief Guest and deliver Lecture at the State Level Orientation Programme on Child Marriage Restraint Act, 2006 & NALSA (Legal Services to Victim of Acid Attack) Scheme, 2016 on 26th March, 2017.

12. Hon'ble Mr. Justice Adarsh Kumar Goel visited (i) Chandigarh to attend the North Zone Regional Conference on Enhancing the Excellence of Judicial Institutions : Challenges & Opportunities; Session 3: “Impact of Media on Public Perception regarding Vitality of Justice Delivery” on 7th January, 2017; (ii) Ahmedabad to judge the final round of Shri I. M. Nanavati Memorial National Moot Court Competition and to Preside over the Valedictory Function organized by the GLS Law College, Ahmedabad on 22nd January, 2017; (iii) Jamshedpur to attend inaugural session programme being organized by NALSA at ADR Centre on 25th February, 2017; (iv) Ranchi to attend Inaugural Session of State Level Meet of District Legal Services Authority on 26th February, 2017 and (v) Cuttack to attend 9th General Council meeting of National Law University on 5th March, 2017.

13. Hon'ble Mr. Justice Abhay Mahohar Sapre visited Guwahati to inaugurate the Permanent Campus of the National Law University & Judicial Academy, Assam on 25th March, 2017.

14. Hon'ble Mr. Justice Prafulla C. Pant visited Chandigarh to attend the “North Zone Regional Conference on Enhancing the Excellence of the Judicial Institutions : Challenges & Opportunities” organized by National Judicial Academy on 7th January, 2017.

15. Hon'ble Mr. Justice Amitava Roy visited Guwahati to attend the inauguration of the Permanent Campus of The National Law University and Judicial Academy, Guwahati on 24th March, 2017.

16. Hon'ble Dr. Justice D. Y. Chandrachud visited (i) Kerala for the book launch of Justice K. T. Thomas, as Chief Guest, on 28th January, 2017; (ii) Bhopal to attend Colloquium on Developments in the Area of Constitutional Law organized by National Judicial Academy, Bhopal on 4th February, 2017; (iii) Chandigarh to attend AIFTP – National Tax Conference and a workshop on “Sensitization on Family Court Matters” at Chandigarh Judicial Academy on 25th February, 2017; and (iv) Mumbai to deliver the key note address at Government Law College Mumbai in the Chief Justice M. C. Chagla Lecture Series on 11th March, 2017.

17. Hon'ble Mr. Justice L. Nageswara Rao visited (i) Visakhapatnam to attend the 5th P.V. Narasimha Rao Memorial Lecture at Dr. B. R. Ambedkar Assembly Hall, Andhra University, Visakhapatnam on 21st January, 2017; (ii) Bengaluru to deliver the 10th P.G.C. Chengappa Memorial Lecture at Patron-in-Chief Hall, High Court of Karnataka,

Bengaluru on 4th February, 2017; and (iii) Kerala to deliver the 6th Advocate G. Janardhana Kurup Memorial Law Lecture in Kerala High Court Auditorium on 25th March, 2017.

18. Hon'ble Mr. Justice S. Abdul Nazeer visited Karnataka to (a) participate in the function of Advocates Association, Moodabidri and (b) to participate in felicitation of Alumni & Valedictory at College Auditorium, SDM Law College, Mangalore on 12th March, 2017.

19. Hon'ble Mr. Justice Navin Sinha visited Jaipur to participate as Guest of Honour in the State Level Orientation Programme on Child Marriage Restraint Act & NALSA (Legal services to victim of Acid Attack) Scheme organized by Rajasthan State Legal Services Authority on 26th March, 2017.

The



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