



# COURT NEWS

Vol. XI Issue No. 4

October - December, 2016



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# LIST OF SUPREME COURT JUDGES

## (As on 31-12-2016)

S.No.	Name of the Hon'ble Judge	Date of Appointment	Date of Retirement
01.	Hon'ble Mr. Justice T.S. Thakur, Chief Justice of India	17-11-2009 As CJI: 03-12-2015	04-01-2017
02.	Hon'ble Mr. Justice J.S. Khehar	13-09-2011	28-08-2017
03.	Hon'ble Mr. Justice Dipak Misra	10-10-2011	03-10-2018
04.	Hon'ble Mr. Justice J. Chelameswar	10-10-2011	23-06-2018
05.	Hon'ble Mr. Justice Ranjan Gogoi	23-04-2012	18-11-2019
06.	Hon'ble Mr. Justice Madan B. Lokur	04-06-2012	31-12-2018
07.	Hon'ble Mr. Justice Pinaki Chandra Ghose	08-03-2013	28-05-2017
08.	Hon'ble Mr. Justice Kurian Joseph	08-03-2013	30-11-2018
09.	Hon'ble Mr. Justice A.K. Sikri	12-04-2013	07-03-2019
10.	Hon'ble Mr. Justice Sharad Arvind Bobde	12-04-2013	24-04-2021
11.	Hon'ble Mr. Justice R.K. Agrawal	17-02-2014	05-05-2018
12.	Hon'ble Mr. Justice N.V. Ramana	17-02-2014	27-08-2022
13.	Hon'ble Mr. Justice Arun Mishra	07-07-2014	03-09-2020
14.	Hon'ble Mr. Justice Adarsh Kumar Goel	07-07-2014	07-07-2018
15.	Hon'ble Mr. Justice R.F. Nariman	07-07-2014	13-08-2021
16.	Hon'ble Mr. Justice Abhay Manohar Sapre	13-08-2014	28-08-2019
17.	Hon'ble Mrs. Justice R. Banumathi	13-08-2014	20-07-2020
18.	Hon'ble Mr. Justice Prafulla C. Pant	13-08-2014	30-08-2017
19.	Hon'ble Mr. Justice Uday U. Lalit	13-08-2014	09-11-2022
20.	Hon'ble Mr. Justice Amitava Roy	27-02-2015	01-03-2018
21.	Hon'ble Mr. Justice A.M. Khanwilkar	13-05-2016	30-07-2022
22.	Hon'ble Dr. Justice D.Y. Chandrachud	13-05-2016	11-11-2024
23.	Hon'ble Mr. Justice Ashok Bhushan	13-05-2016	05-07-2021
24.	Hon'ble Mr. Justice L. Nageswara Rao	13-05-2016	08-06-2022

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

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**APPOINTMENTS AND RETIREMENTS  
IN THE SUPREME COURT OF INDIA  
(FROM 01-10-2016 TO 31-12-2016)**

**RETIREMENTS**

<b>S. No.</b>	<b>Name of the Hon'ble Judge</b>	<b>Date of Retirement</b>
1	Hon'ble Mr. Justice C. Nagappan	04-10-2016
2	Hon'ble Mr. Justice V. Gopala Gowda	06-10-2016
3	Hon'ble Mr. Justice Shiva Kirti Singh	13-11-2016
4	Hon'ble Mr. Justice Anil R. Dave	19-11-2016

**APPOINTMENTS AND RETIREMENTS  
IN THE HIGH COURTS  
(FROM 01-10-2016 TO 31-12-2016)**

S.No.	Name of the High Court	Name of the Hon'ble Judge	Date of Appointment
1	Allahabad	Rajul Bhargava	15-11-16
		Siddhartha Varma	15-11-16
		Sangeeta Chandra	15-11-16
		Daya Shankar Tripathi	15-11-16
		Sheo Kumar Singh-I	15-11-16
		Virendra Kumar-II	15-11-16
		Shailendra Kumar Agrawal	15-11-16
		Sanjay Harkauli	15-11-16
		Krishna Pratap Singh	15-11-16
		Rekha Dikshit	15-11-16
		Satya Narain Agnihotri	15-11-16
2	Calcutta	Amitabha Chatterjee	06-10-16
3	Delhi	Anil Kumar Chawla	08-11-16
		Vinod Goel	08-11-16
		Chander Shekhar	08-11-16
		Anu Malhotra	08-11-16
		Yogesh Khanna	08-11-16
4	Gauhati	Achintya Malla Bujor Barua	15-11-16
		Kalyan Rai Surana	15-11-16
		Prasanta Kumar Deka	15-11-16
		Nelson Sailo	15-11-16
		Ajit Borthakur	15-11-16
5	Karnataka	Kempaiah Somashekar	14-11-16
		K. Somappa Mudagal	14-11-16
		Sreenivas H. Kumar	14-11-16
		John Michael Cunha	14-11-16
		Basavaraj A. Patil	14-11-16
6	Kerala	Sathish Ninan	05-10-16
		Devan Ramachandran	05-10-16
		P. Somarajan	05-10-16
		V. Shircy	05-10-16
		A.M. Babu	05-10-16

7	<b>Madhya Pradesh</b>	Vijay Kumar Shukla	13-10-16
		G.S. Ahluwalia	13-10-16
		Subodh Abhyankar	13-10-16
		Rajeev Kumar Dubey	13-10-16
		Anjuli Palo	13-10-16
		Virender Singh	13-10-16
		S.K. Awasthi	13-10-16
8	<b>Madras</b>	V. Parthiban	05-10-16
		R. Subramanian	05-10-16
		M. Govindaraj	05-10-16
		M. Sundar	05-10-16
		R. Sureshkumar	05-10-16
		Nisha Banu	05-10-16
		M.S. Ramesh	05-10-16
		S.M. Subramanian	05-10-16
		Dr. Anita Sumanth	05-10-16
		A.M. Basheer Ahamed	05-10-16
		T. Ravindran	05-10-16
		S. Baskaran	05-10-16
		P. Velmurugan	05-10-16
		Dr. G. Jayachandran	05-10-16
		C.V. Karthikeyan	05-10-16
		R.M.T. Teeka Raman	16-11-16
		N. Sathish Kumar	16-11-16
N. Seshasayee	16-11-16		
9	<b>Patna</b>	Birendra Kumar	16-11-16
		Arvind Srivastava	09-12-16
		Vinod Kumar Sinha	09-12-16
		Sanjay Priya	09-12-16
		Arun Kumar	09-12-16
		Sanjay Kumar	09-12-16
10	<b>Punjab &amp; Haryana</b>	Harminder Singh Madan	12-12-16
11	<b>Rajasthan</b>	Sanjeev Prakash Sharma	16-11-16
		Dr. Pushpendra Singh Bhati	16-11-16
		Dinesh Mehta	16-11-16
		Vinit Kumar Mathur	16-11-16

**TRANSFERS BETWEEN THE HIGH COURTS  
(FROM 01-10-2016 TO 31-12-2016)**

<b>S. No.</b>	<b>From (Name of concerned High Court)</b>	<b>To (Name of concerned High Court)</b>	<b>Name of the Hon'ble Judge</b>	<b>Date of Transfer</b>
1.	Manipur	Gauhati	Songkhupchung Serto	03-10-16
2.	Rajasthan	Punjab & Haryana	Jaishree Thakur	05-10-16
3.	Rajasthan	Punjab & Haryana	Anupinder Singh Grewal	05-10-16

## VACANCIES IN THE COURTS

### A) SUPREME COURT OF INDIA (As on 31-12-2016)

Sanctioned Strength	Working strength	Vacancies
31	24	07

### B) HIGH COURTS (As on 31-12-2016)

S.No.	Name of the High Court	Sanctioned Strength	Working Strength	Vacancies
1	Allahabad	160	85	75
2	Hyderabad (A.P & Telangana)	61	23	38
3	Bombay	94	62	32
4	Calcutta	72	39	33
5	Chhatisgarh	22	11	11
6	Delhi	60	38	22
7	Gujarat	52	31	21
8	Gauhati	24	17	7
9	Himachal Pradesh	13	10	3
10	Jammu & Kashmir	17	10	7
11	Jharkhand	25	13	12
12	Karnataka	62	30	32
13	Kerala	47	37	10
14	Madhya Pradesh	53	39	14
15	Madras	75	57	18
16	Manipur	5	3	2
17	Meghalaya	4	3	1
18	Orissa	27	19	8
19	Patna	53	32	21
20	Punjab & Haryana	85	47	38
21	Rajasthan	50	34	16
22	Sikkim	3	2	1
23	Tripura	4	3	1
24	Uttarakhand	11	7	4
<b>TOTAL</b>		<b>1079</b>	<b>652</b>	<b>427</b>

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



**C) DISTRICT & SUBORDINATE COURTS (As on 31-12-2016)**

S.No.	State/ Union Territory	Sanctioned Strength	Working Strength	Vacancies
1	Uttar Pradesh	2399	1728	<b>671</b>
2	Andhra Pradesh & Telangana	975	889	<b>86</b>
3(a)	Maharashtra	2257	2239	<b>18</b>
3(b)	Goa	57	50	<b>7</b>
3(c)	Diu and Daman & Silvassa	7	6	<b>1</b>
4	West Bengal and Andaman & Nicobar	1013	918	<b>95</b>
5	Chhattisgarh	395	356	<b>39</b>
6	Delhi	793	489	<b>304</b>
7	Gujarat	1502	1111	<b>391</b>
8(a)	Assam	424	310	<b>114</b>
8(b)	Nagaland	33	24	<b>9</b>
8(c)	Mizoram	63	30	<b>33</b>
8(d)	Arunachal Pradesh	26	17	<b>9</b>
9	Himachal Pradesh	155	147	<b>8</b>
10	Jammu & Kashmir	246	220	<b>26</b>
11	Jharkhand	673	449	<b>224</b>
12	Karnataka	1300	913	<b>387</b>
13(a)	Kerala	492	428	<b>64</b>
13(b)	Lakshadweep	3	3	<b>0</b>
14	Madhya Pradesh	2021	1239	<b>782</b>
15	Manipur	41	34	<b>7</b>
16	Meghalaya	57	41	<b>16</b>
17(a)	Tamil Nadu	1047	939	<b>108</b>
17(b)	Puducherry	26	13	<b>13</b>
18	Orissa	777	601	<b>176</b>
19	Bihar	1825	1002	<b>823</b>
20(a)	Punjab	674	546	<b>128</b>
20(b)	Haryana	644	505	<b>139</b>
20(c)	Chandigarh	30	30	<b>0</b>
21	Rajasthan	1203	1076	<b>127</b>
22	Sikkim	23	13	<b>10</b>
23	Tripura	106	77	<b>29</b>
24	Uttarakhand	291	218	<b>73</b>
<b>TOTAL</b>		<b>21578</b>	<b>16661</b>	<b>4917</b>

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

## INSTITUTION, DISPOSAL AND PENDENCY OF CASES IN THE SUPREME COURT [01-10-2016 to 31-12-2016]

i) Table I

						Pendency (At the end of 30-09-2016)		
						Admission matters	Regular matters	Total matters
						33,996	26,942	60,938
Institution (01-10-2016 to 31-12-2016) (including unregistered CC matters and conversion)			Disposal (01-10-2016 to 31-12-2016) (including unregistered CC matters and conversion)			Pendency (At the end of 31-12-2016)		
Admission matters	Regular matters	Total matters	Admission matters	Regular matters	Total matters	Admission matters	Regular matters	Total matters
18,208	1,651	19,859	16,099	2,161	18,260	36,105	26,432	62,537

ii) Table II

	OPENING BALANCE AS ON 01-10-16	INSTITUTION FROM 01-10-16 TO 31-12-16	DISPOSAL FROM 01-10-16 TO 31-12-16	PENDENCY AT THE END OF 31-12-16
<b>CIVIL CASES</b>	50,205	15,030	13,710	51,525
<b>CRIMINAL CASES</b>	10,733	4,829	4,550	11,012
<b>ALL CASES (TOTAL)</b>	60,938	19,859	18,260	62,537

**Note:**

1. Out of the 62,537 pending matters as on 31-12-2016, if connected matters are excluded, the pendency is only of 35,699 matters as on 31-12-2016.
2. Out of the 62,537 pending matters as on 31-12-2016, 17,642 matters are upto one year old and thus arrears (i.e. cases pending more than a year) are only of 44,895 matters as on 31-12-2016.
3. Total institution shown above of 19,859 matters includes conversion of 1,640 matters from one case type to other and also registration of 7,583 unregistered CC matters.
4. Total Disposal shown above of 18,260 matters includes conversion of 821 matters from one case type to other and also registration of 7,488 unregistered CC matters.

## INSTITUTION, DISPOSAL AND PENDENCY OF CASES IN THE HIGH COURTS (FROM 01-10-2016 TO 31-12-2016)

Sri. No.	Name of the High Court	Cases brought forward from the previous Quarter (Nos.) (Civil/Crl.) As on 01/10/2016			Freshly instituted Cases during this Quarter (Oct - Dec 2016) Nos. (Civil/Crl.)			Disposed of Cases during this Quarter (Oct - Dec 2016) Nos. (Civil/Crl.)			Pending Cases at the end of this Quarter (Oct - Dec 2016) Nos. (Civil/Crl.) (As on 31/12/2016)			% of Institution of Cases w.r.t Opening Balance as on 01/10/2016	% of Disposal of Cases w.r.t Opening Balance as on 01/10/2016	% Increase or Decrease in Pendency w.r.t Opening Balance as on 01/10/2016
		CIVIL	CRL.	(Civ + Crl.)	CIVIL	CRL.	(Civ + Crl.)	CIVIL	CRL.	(Civ + Crl.)	CIVIL	CRL.	(Civ + Crl.)			
1	Allahabad	560152	364932	<b>925084</b>	28627	33732	<b>62359</b>	38404	32993	<b>71397</b>	550375	365671	<b>916046</b>	6.74	7.72	-0.98
2	Hyderabad (A.P & Telangana)	244491	41172	<b>285663</b>	18445	3804	<b>22249</b>	13081	3070	<b>16151</b>	249855	41906	<b>291761</b>	7.79	5.65	2.13
3	Bombay#	208816	50147	<b>258963</b>	15977	5935	<b>21912</b>	14334	4892	<b>19226</b>	210459	51190	<b>261649</b>	8.46	7.42	1.04
4	Calcutta	179202	38392	<b>217594</b>	9948	3641	<b>13589</b>	9052	3067	<b>12119</b>	180098	38966	<b>219064</b>	6.25	5.57	0.68
5	Chhatisgarh	35203	20446	<b>55649</b>	4557	3614	<b>8171</b>	4682	3496	<b>8178</b>	35078	20564	<b>55642</b>	14.68	14.70	-0.01
6	Delhi	49043	17238	<b>66281</b>	7460	3323	<b>10783</b>	7145	2837	<b>9982</b>	49358	17724	<b>67082</b>	16.27	15.06	1.21
7	Gujarat	50196	34702	<b>84898</b>	12008	12943	<b>24951</b>	13376	13627	<b>27003</b>	48828	34018	<b>82846</b>	29.39	31.81	-2.42
8	Gauhati	23352	5286	<b>28638</b>	3161	557	<b>3718</b>	2469	418	<b>2887</b>	24044	5425	<b>29469</b>	12.98	10.08	2.90
9	Himachal Pradesh	24348	5391	<b>29739</b>	4577	1257	<b>5834</b>	4710	989	<b>5699</b>	24215	5659	<b>29874</b>	19.62	19.16	0.45
10	Jammu & Kashmir	54173	5431	<b>59604</b>	4099	641	<b>4740</b>	4363	577	<b>4940</b>	53909	5495	<b>59404</b>	7.95	8.29	-0.34
11	Jharkhand	43149	40793	<b>83942</b>	2694	4427	<b>7121</b>	1275	4031	<b>5306</b>	44568	41189	<b>85757</b>	8.48	6.32	2.16
12	Karnataka	246634	23589	<b>270223</b>	27093	4417	<b>31510</b>	20114	3999	<b>24113</b>	253613	24007	<b>277620</b>	11.66	8.92	2.74
13	Kerala#	127837	37550	<b>165387</b>	15466	6137	<b>21603</b>	14948	5307	<b>20255</b>	128355	38380	<b>166735</b>	13.06	12.25	0.82
14	Madhya Pradesh#	180885	107479	<b>288364</b>	16220	15261	<b>31481</b>	16153	14247	<b>30400</b>	180952	108493	<b>289445</b>	10.92	10.54	0.37
15	Madras#	264050	36871	<b>300921</b>	22017	12355	<b>34372</b>	23451	14196	<b>37647</b>	262585	35030	<b>297615</b>	11.42	12.51	-1.10
16	Manipur	3151	117	<b>3268</b>	461	10	<b>471</b>	443	10	<b>453</b>	3169	117	<b>3286</b>	14.41	13.86	0.55
17	Meghalaya	630	32	<b>662</b>	159	40	<b>199</b>	122	39	<b>161</b>	667	33	<b>700</b>	30.06	24.32	5.74
18	Orissa#	130033	40858	<b>170891</b>	8218	9051	<b>17269</b>	10678	9479	<b>20157</b>	127573	40430	<b>168003</b>	10.11	11.80	-1.69
19	Patna	82388	51492	<b>133880</b>	6231	13663	<b>19894</b>	5745	13570	<b>19315</b>	82874	51585	<b>134459</b>	14.86	14.43	0.43
20	Punjab & Haryana	207125	89571	<b>296696</b>	16033	14815	<b>30848</b>	13161	12070	<b>25231</b>	209997	92316	<b>302313</b>	10.40	8.50	1.89
21	Rajasthan	182677	68147	<b>250824</b>	13426	12273	<b>25699</b>	11139	10655	<b>21794</b>	184964	69765	<b>254729</b>	10.25	8.69	1.56
22	Sikkim	99	46	<b>145</b>	55	14	<b>69</b>	25	19	<b>44</b>	129	41	<b>170</b>	47.59	30.34	17.24
23	Tripura	2733	429	<b>3162</b>	348	91	<b>439</b>	574	109	<b>683</b>	2507	411	<b>2918</b>	13.88	21.60	-7.72
24	Uttarakhand	21971	9652	<b>31623</b>	2328	1818	<b>4146</b>	1735	2030	<b>3765</b>	22564	9440	<b>32004</b>	13.11	11.91	1.20
	<b>Total</b>	<b>2922338</b>	<b>1089763</b>	<b>4012101</b>	<b>239608</b>	<b>163819</b>	<b>403427</b>	<b>231179</b>	<b>155727</b>	<b>386906</b>	<b>2930736</b>	<b>1097855</b>	<b>4028591</b>	<b>10.06</b>	<b>9.64</b>	<b>0.41</b>

- 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 01-10-2016 TO 31-12-2016)

Srl.No	Name of the State/UT	Cases brought forward from the previous Quarter (Nos.) (Civil/Crl.) As on 01/10/2016			Freshly instituted Cases (Nos.) during this Quarter (Oct - Dec 2016) (Civil/Crl.)			Disposed of Cases (Nos.) during this Quarter (Oct - Dec 2016) (Civil/Crl.)			Pending Cases (Nos.) at the end of this Quarter (Oct - Dec 2016) (Civil/Crl.) (As on 31/12/2016)			% of Institution of Cases w.r.t Opening Balance as on 01/10/2016	% of Disposal of Cases w.r.t Opening Balance as on 01/10/2016	% Increase or Decrease in Pendency w.r.t Opening Balance as on 01/10/2016
		CIVIL	CRL.	(Civ + Crl.)	CIVIL	CRL.	(Civ + Crl.)	CIVIL	CRL.	(Civ + Crl.)	CIVIL	CRL.	(Civ + Crl.)			
1	Uttar Pradesh	1531056	4516013	6047069	125328	882678	1008006	133169	941835	1075004	1523215	4456856	5980071	16.67	17.78	-1.11
2	Andhra Pradesh & Telangana	507354	558027	1065381	60925	112230	173155	60164	100428	160592	508115	569829	1077944	16.25	15.07	1.18
3(a)	Maharashtra	1122210	2094823	3217033	88183	447838	536021	88940	424574	513514	1121453	2118087	3239540	16.66	15.96	0.70
3(b)	Goa	24591	18206	42797	2900	4061	6961	2567	5117	7684	24924	17150	42074	16.27	17.95	-1.69
3(c)	Diu & Daman	898	825	1723	128	291	419	160	262	422	866	854	1720	24.32	24.49	-0.17
3(d)	Silvassa	1663	2273	3936	74	693	767	204	733	937	1533	2233	3766	19.49	23.81	-4.32
4(a)	West Bengal	559595	2150413	2710008	21850	235338	257188	20761	218165	238926	560684	2167586	2728270	9.49	8.82	0.67
4(b)	Andaman & Nicobar	3460	5320	8780	227	1559	1786	180	1619	1799	3507	5260	8767	20.34	20.49	-0.15
5	Chhatisgarh	65611	221066	286677	8431	52106	60537	8462	48318	56780	65580	224854	290434	21.12	19.81	1.31
6	Delhi	173209	461766	634975	28337	121305	149642	29231	119265	148496	172315	463806	636121	23.57	23.39	0.18
7	Gujarat	566526	1400381	1966907	51999	264731	316730	66644	394682	461326	551881	1270430	1822311	16.10	23.45	-7.35
8(a)	Assam	67293	197160	264453	8588	57058	65646	7676	63784	71460	68205	190434	258639	24.82	27.02	-2.20
8(b)	Nagaland	1768	2650	4418	185	836	1021	285	724	1009	1668	2762	4430	23.11	22.84	0.27
8(c)	Mizoram	1967	2313	4280	1335	1994	3329	1217	1727	2944	2085	2580	4665	77.78	68.79	9.00
8(d)	Arunachal Pradesh	1594	8063	9657	1810	4285	6095	381	788	1169	3023	11560	14583	63.11	12.11	51.01
9	Himachal Pradesh	100077	138994	239071	16648	65950	82598	15471	71005	86476	101254	133939	235193	34.55	36.17	-1.62
10	Jammu & Kashmir	48766	93691	142457	5130	19159	24289	4645	16102	20747	49251	96748	145999	17.05	14.56	2.49
11	Jharkhand*	64287	270977	335264	3587	25092	28679	3723	17452	21175	64151	278617	342768	8.55	6.32	2.24
12	Karnataka	703773	649614	1353387	71730	212423	284153	73575	201798	275373	701928	660239	1362167	21.00	20.35	0.65
13(a)	Kerala	416349	1090981	1507330	71327	260393	331720	69886	286497	356383	417790	1064877	1482667	22.01	23.64	-1.64
13(b)	Lakshadweep	133	194	327	36	34	70	16	24	40	153	204	357	21.41	12.23	9.17
14	Madhya Pradesh	283471	967492	1250963	37584	241079	278663	40259	228730	268989	280796	979841	1260637	22.28	21.50	0.77
15	Manipur	3942	3479	7421	367	1040	1407	672	1178	1850	3637	3341	6978	18.96	24.93	-5.97
16	Meghalaya	3563	11657	15220	323	1786	2109	343	1747	2090	3543	11696	15239	13.86	13.73	0.12
17(a)	Tamil Nadu*	626426	452224	1078650	85218	302921	388139	91273	304636	395909	620808	450558	1071366	35.98	36.70	-0.68
17(b)	Puducherry*	14020	14011	28031	1988	1777	3765	2126	1734	3860	13882	14273	28155	13.43	13.77	0.44
18	Odisha	273734	873749	1147483	18750	129847	148597	18728	228027	246755	273756	775569	1049325	12.95	21.50	-8.55
19	Bihar	339172	1763418	2102590	14604	74550	89154	13920	49499	63419	339856	1788469	2128325	4.24	3.02	1.22
20(a)	Punjab	250831	285033	535864	42469	99925	142394	48340	125598	173938	244960	259360	504320	26.57	32.46	-5.89
20(b)	Haryana	248527	327456	575983	37635	119652	157287	41740	143794	185534	244422	303314	547736	27.31	32.21	-4.90
20(c)	Chandigarh	15566	25802	41368	2647	19703	22350	2836	21975	24811	15377	23530	38907	54.03	59.98	-5.95
21	Rajasthan	480344	1078643	1558987	58164	326688	384852	63544	306309	369853	474964	1099022	1573986	24.69	23.72	0.96
22	Sikkim	432	918	1350	200	434	634	158	392	550	474	960	1434	46.96	40.74	6.22
23	Tripura	9787	125364	135151	1470	38910	40380	1103	26153	27256	10154	138121	148275	29.88	20.17	9.71
24	Uttarakhand	31984	155884	187868	5035	34073	39108	4957	31071	36028	32062	158886	190948	20.82	19.18	1.64
	<b>Total</b>	<b>8543979</b>	<b>19968880</b>	<b>28512859</b>	<b>875212</b>	<b>4162439</b>	<b>5037651</b>	<b>917356</b>	<b>4385742</b>	<b>5303098</b>	<b>8502272</b>	<b>19745845</b>	<b>28248117</b>	<b>17.67</b>	<b>18.60</b>	<b>-0.93</b>

● 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 OF PUBLIC IMPORTANCE (01-10-2016 TO 31-12-2016)**

1. On 3<sup>rd</sup> October, 2016, in the case of *Syeda Rahimunnisa v. Malan Bi (Dead) by L.Rs. & Anr. Etc.* [Civil Appeal Nos. 2875 – 2879 of 2010], while examining the jurisdiction of the High Court to remand a case to the trial court, it was held “in order to claim remand of the case to the trial court, it is necessary for the appellant to first raise such plea and then make out a case of remand on facts. The power of the appellate court to remand the case to subordinate court is contained in order XLI Rule 23, 23-A and 25 of CPC. It is, therefore, obligatory upon the appellant to bring the case under any of these provisions before claiming a remand. The appellate court is required to record reasons as to why it has taken recourse to any one out of the three Rules of Order XLI of CPC for remanding the case to the trial court.” In instant case, in the absence of any ground taken by the respondents before the first appellate court and the High Court as to why the remand order in these cases is called for and if so under which Rule of Order XLI of CPC and further in the absence of any finding, it was held that “there was no justification on the part of the High Court to remand the case to the trial court” and “the High Court instead should have decided the appeals on merits”

2. On 4<sup>th</sup> October, 2016, in the case of *A. Ayyasamy v. A. Paramasivam & Ors.* [Civil Appeal Nos. 8245 – 8246 of 2016], it was held that “mere allegation of fraud simplicitor may not be a ground to nullify the effect of arbitration agreement between the parties.” It was held that when the case of fraud is set up by one of the parties and on that basis that party wants to wriggle out of that arbitration agreement, a strict and meticulous inquiry into the allegations of fraud is needed and only when the Court is satisfied that the allegations are of serious and complicated nature that it would be more appropriate for the Court to deal with the subject matter rather than relegating the parties to arbitration, then alone such an application under Section 8 of the Arbitration and Conciliation Act, 1996 should be rejected.

3. On 6<sup>th</sup> October, 2016, in the case of *Narendra v. K. Meena* [Civil Appeal No.3253 of 2008], while negating the opinion of the High Court, that the wife has a legitimate expectation to see that the income of her husband is used for her and not for the family members of the husband, the Court observed that “a son, brought up and given education by his parents, has a moral and legal obligation to take care and maintain the parents, when they become old and when they have either no income or have a meagre income.” “In India, generally people do not subscribe to the western thought, where,

upon getting married or attaining majority, the son gets separated from the family” and “a son maintaining his parents is absolutely normal in Indian culture and ethos.”

It was held that “if a wife makes an attempt to deviate from the normal practice and normal custom of the society, she must have some justifiable reason for that.” Observing that in the instant case, there was no “justifiable reason, except monetary consideration of the Respondent wife”, the Court held that, normally, “no husband would tolerate this and no son would like to be separated from his old parents and other family members, who are also dependent upon his income”, and “the persistent effort of the Respondent wife to constrain” the husband “to be separated from the family” was “torturous for the husband” and “the trial Court was right when it came to the conclusion that this constitutes an act of ‘cruelty’.

4. On 6<sup>th</sup> October, 2016, in the case of *Hiral P. Harsora and Ors v. Kusum Narottamdas Harsora and Ors*. [Civil Appeal No.10084 of 2016], the Supreme Court struck down the words “adult male” before the word “person” in Section 2(q) of the Protection of Women from Domestic Violence Act, 2005, observing that “the words “adult male person” are contrary to the object of affording protection to women who have suffered from domestic violence “of any kind” and that “ these words discriminate between persons similarly situate, and far from being in tune with, are contrary to the object sought to be achieved by the 2005 Act.”

It was held that once the words “adult male” are struck down, the proviso to Section 2(q) of the 2005 Act [which carves out an exception to a situation of “respondent” not being an adult male], has no independent existence, having being rendered otiose, and also stands deleted.

5. On 18<sup>th</sup> October, 2016, in the case of *Tamil Nadu Generation and Distribution Corporation Ltd. [TANGEDCO] Rep. By its Chairman & Managing Director and Anr. etc. v. CSEPD- Trishe Consortium, Rep. By its Managing Director & Anr.* [Civil Appeal Nos.10182 – 10183 of 2016], wherein it was alleged that the evaluation of price bids in response to a tender floated by appellant-Corporation was ex-facie defective, as the financial Consultant appointed had loaded certain charges as a consequence of which the price had gone up, the Supreme Court observed that it cannot sit in appeal over the financial consultant’s assessment and on facts, the evaluation report in question was neither ex-facie erroneous nor could it be perceived as flawed for being perverse or absurd.

The Bench observed that “in a complex fiscal evaluation the Court has to apply the doctrine of restraint. Several aspects, clauses, contingencies, etc. have to be factored.

These calculations are best left to experts and those who have knowledge and skills in the field. The financial computation involved, the capacity and efficiency of the bidder and the perception of feasibility of completion of the project have to be left to the wisdom of the financial experts and consultants. The courts cannot really enter into the said realm in exercise of power of judicial review.”

6. On 21<sup>st</sup> October, 2016, in the case of *Ashok Kumar & Anr. v. State of Bihar & Ors.* [Civil Appeal No.9092 of 2012], wherein selections made by promotion from Class IV posts to Class III posts in the District Court of Muzaffarpur were under challenge, a three Judge Bench held that “if the appellants were aggrieved by the decision to hold a fresh process, they did not espouse their remedy. Instead, they participated in the fresh process of selection and it was only upon being unsuccessful that they challenged the result in the writ petition. This was clearly not open to the appellants. The principle of estoppel would operate.”

7. On 26<sup>th</sup> October, 2016, in the case of *Satya Pal Anand v. State of M.P & Ors.* [Civil Appeal No.6673 of 2014], a three Judge Bench held that once a document is registered, it is not open to any Authority, under the Registration Act of 1908 to cancel the registration. “The remedy of appeal provided under the Act of 1908, in Part XII, in particular Section 72, is limited to the inaction or refusal by the Registering Officer to register a document. The power conferred on the Registrar by virtue of Section 68 cannot be invoked to cancel the registration of documents already registered.”

8. On 26<sup>th</sup> October, 2016, in the case of *State of Punjab & Ors. v. Jagjit Singh & Ors.* [Civil Appeal No. 213 of 2013], the legal parameters with reference to the application of the principle of ‘equal pay for equal work’, in relation to temporary employees (daily-wage employees, ad-hoc appointees, employees appointed on casual basis, contractual employees and the like) were examined by the Supreme Court.

All the concerned temporary employees in the present set of appeals were appointed against posts which were also available in the regular cadre / establishment; and were being randomly deputed to discharge duties and responsibilities, which at some point in time, were assigned to regular employees. Likewise, regular employees holding substantive posts, were also posted to discharge the same work, which was assigned to temporary employees, from time to time. It was accordingly held that there was no room for any doubt, that “the duties and responsibilities discharged by the temporary employees in the present set of appeals, were the same as were being discharged by regular employees.” Further, it was not the case of the appellants, that the respondent-employees did not possess the qualifications prescribed for appointment on regular basis; and furthermore, it was not the case of the State, that any of the

temporary employees would not be entitled to pay parity, on any of the principles summarized in paragraph 42 of the judgment. Accordingly, it was held that there can be no doubt, that the principle of 'equal pay for equal work' would be applicable and all the concerned temporary employees "would be entitled to draw wages at the minimum of the pay-scale (- at the lowest grade, in the regular pay-scale), extended to regular employees, holding the same post."

9. On 8<sup>th</sup> November, 2016, in the case of *State Bank of Patiala v. Mukesh Jain & Anr.* [Civil Appeal No.210 of 2007], it was held that the Debt Recovery Tribunal constituted under the Recovery of Debts due to Banks and Financial Institutions Act, 1993 Act has jurisdiction to entertain an appeal as per Section 17 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 even if the amount involved is less than Rs 10 lakh. However, it was clarified that "the said appellate jurisdiction need not be misunderstood with the original jurisdiction of the Tribunal."

10. On 11<sup>th</sup> November, 2016, in the case of *Jindal Stainless Ltd. & Anr. v. State of Haryana & Ors.* [Civil Appeal No.3453 of 2002 Etc. Etc.], while examining the powers of the State Legislature under Entry 52 of List II of the Seventh Schedule to the Constitution to levy taxes on the "entry of goods into local areas comprising the States", a nine Judge Bench *inter alia* interpreted Articles 301 to 304 comprising Part XIII of the Constitution and dealt with various issues such as whether these levies were violative of the constitutionally recognised right to free trade commerce and intercourse guaranteed under Article 301 of the Constitution; whether such levies were discriminatory and, therefore, violative of Article 304(a) of the Constitution; and whether absence of Presidential sanction in terms of Article 304(b) of the Constitution is also a ground of challenge to such levies imposed by the State legislatures.

By majority, the Constitution Bench, answered the reference, *inter alia*, in the following terms:-

(i) "Taxes simpliciter are not within the contemplation of Part XIII of the Constitution" and "the word 'Free' used in Article 301 does not mean "free from taxation"."

(ii) "Only such taxes as are discriminatory in nature are prohibited by Article 304(a)" and "levy of a non-discriminatory tax would not constitute an infraction of Article 301."

(iii) "Clauses (a) and (b) of Article 304 have to be read disjunctively" and "a levy that violates 304(a) cannot be saved even if the procedure under Article 304(b) or the proviso there under is satisfied."



(iv) The compensatory tax theory “has no juristic basis” and “a tax on entry of goods into a local area for use, sale or consumption therein is permissible” although similar goods are not produced within the taxing State.

(v) “Article 304(a) frowns upon discrimination (of a hostile nature in the protectionist sense) and not on mere differentiation”, and therefore, “incentives, set-offs etc. granted to a specified class of dealers for a limited period of time in a non-hostile fashion with a view to developing economically backward areas would not violate Article 304(a).”

(vi) The “States are well within their right to design their fiscal legislations to ensure that the tax burden on goods imported from other States and goods produced within the State fall equally. Such measures if taken would not contravene Article 304(a) of the Constitution”.

(vii) The questions whether the entire State can be notified as a local area and whether entry tax can be levied on goods entering the landmass of India from another country were however left open by the Bench to be determined in appropriate proceedings.

11. On 15<sup>th</sup> November, 2016, in the case of *IDBI Trusteeship Services Ltd. v. Hubtown Ltd.* [Civil Appeal No.10860 of 2016], while examining the discretion that a Judge exercises under Order XXXVII, CPC to refuse leave to defend a Summary suit or to grant conditional or unconditional leave to defend, the following guidelines / principles were laid down by the Supreme Court to obviate exercise of judicial discretion in an arbitrary manner:-

“a. If the defendant satisfies the Court that he has a substantial defence, that is, a defence that is likely to succeed, the plaintiff is not entitled to sign judgment, and the defendant is entitled to unconditional leave to defend the suit;

b. if the defendant raises triable issues indicating that he has a fair or reasonable defence, although not a positively good defence, the plaintiff is not entitled to sign judgment, and the defendant is ordinarily entitled to unconditional leave to defend;

c. even if the defendant raises triable issues, if a doubt is left with the trial judge about the defendant’s good faith, or the genuineness of the triable issues, the trial judge may impose conditions both as to time or mode of trial, as well as payment into court or furnishing security. Care must be taken to see that the object of the provisions to assist expeditious disposal of commercial causes is not defeated. Care must also be taken to see that such triable issues are not shut out by unduly severe orders as to deposit or security;

d. if the Defendant raises a defence which is plausible but improbable, the trial Judge may impose conditions as to time or mode of trial, as well as payment into court, or furnishing security. As such a defence does not raise triable issues, conditions as to deposit or security or both can extend to the entire principal sum together with such interest as the court feels the justice of the case requires.

e. if the Defendant has no substantial defence and/or raises no genuine triable issues, and the court finds such defence to be frivolous or vexatious, then leave to defend the suit shall be refused, and the plaintiff is entitled to judgment forthwith;

f. if any part of the amount claimed by the plaintiff is admitted by the defendant to be due from him, leave to defend the suit, (even if triable issues or a substantial defence is raised), shall not be granted unless the amount so admitted to be due is deposited by the defendant in court.”

12. On 21<sup>st</sup> November, 2016, in the case of *Lok Prahari Thr. Its General Secretary, S.N. Shukla v. State of U.P. and Ors.* [Civil Appeal No.11004 of 2016], the legality of the Vidhayak Nidhi Scheme in the State of Uttar Pradesh, which provided for annual budgetary grants to Members of the Legislative Assembly and Legislative Council for facilitating development work in their constituencies, was examined by a three Judge Bench.

While observing that the elected representatives have “a legitimate role to discharge in meeting the development needs of their constituencies” and Article 243ZD of the Constitution “does not exclude their role,” the Bench held that the Vidhayak Nidhi Scheme does not *per se* violate Article 243ZD of the Constitution or the U. P. District Planning Committee Act, 1999. However, the Bench observed that it was necessary that the guidelines formulated by the State Government which govern the Vidhayak Nidhi Scheme are revisited so as to ensure that the guidelines are in conformity with the spirit and underlying purpose of Parts IX and IXA of the Constitution in terms as held by the Constitution Bench of this Court in *Bhim Singh v. Union of India* (2010) 5 SCC 538.

13. On 25<sup>th</sup> November, 2016, in the case of *Anjan Dasgupta v. The State of West Bengal & Ors.* [Criminal Appeal No. 298 of 2006], it was held that “the receipt and the recording of First Information Report is not a condition precedent for setting in motion of a criminal investigation.”

14. On 29<sup>th</sup> November, 2016, in the case of *Nandkishor Savalaram Malu (Dead) Through Lrs. v. Hanumanmal G. Biyani (D) Thr. Lrs. & Ors.* [Civil Appeal No.11868 of 2016], it was held that “an employee of a tenant is never considered to be in actual

possession of tenanted premises much less in possession in his legal right. Indeed, he is allowed to use the tenanted premises only with the permission of his employer by virtue of his contract of employment with his employer. An employee, therefore, cannot claim any legal right of his own to occupy or to remain in possession of the tenanted premises while in employment of his employer or even thereafter *qua* landlord for want of any privity of contract between him and the landlord in respect of the tenanted premises.” It was further held that “in rent proceedings the lessee/tenant is the only necessary or/and proper party and none else. A person, who claims through lessee/tenant, is not a necessary party.”

15. On 30<sup>th</sup> November, 2016, in the case of *Shyam Narayan Chouksey v. Union of India* [Writ Petition (Civil) No. 855 of 2016], while observing that “it is the sacred obligation of every citizen to abide by the ideals engrafted in the Constitution” and “one such ideal is to show respect for the National Anthem and the National Flag”, the Supreme Court, as an interim measure, *inter alia* directed that “all the cinema halls in India shall play the National Anthem before the feature film starts and all present in the hall are obliged to stand up to show respect to the National Anthem” and that “when the National Anthem shall be played in the Cinema Halls, it shall be with the National Flag on the screen.”

16. On 6<sup>th</sup> December, 2016, in the case of *Jorsingh Govind Vanjari v. Divisional Controller Maharashtra, State Road Transport Corporation, Jalgaon Division, Jalgaon* [Civil Appeal No.11807 of 2016], it was held that “in order to deny gratuity to an employee, it is not enough that the alleged misconduct of the employee constitutes an offence involving moral turpitude as per the report of the domestic inquiry, rather “there must be termination on account of the alleged misconduct, which constitutes an offence involving moral turpitude.”

17. On 14<sup>th</sup> December, 2016, in the case of *Bachpan Bachao Andolan v. Union of India & Ors.* [Writ Petition (Civil) No.906 of 2014], while addressing on the issue of drugs, alcohol and substance abuse amongst children in India, a three Judge Bench observed that “these are matters which should not be brushed under the carpet” and that the “authorities should consider how children should be sensitised (having due regard to the age and stage of the child) of the dangers of drug use, the necessity to report drug use and the need to develop resistance to prevailing peer and social pressures.” Accordingly, the Union government was directed to (i) complete a national survey and generate a national data base within a period of six months; (ii) formulate and adopt a comprehensive national plan within four months, which will among other things also address the areas of immediate concern noted earlier; and (iii) adopt specific content in the school curriculum under the aegis of New Education Policy (NEP).

18. On 14<sup>th</sup> December, 2016, in the case of *Karma Dorjee & Ors. v. Union of India and Ors.* [Writ Petition(Civil) No.103 of 2014], a three Judge Bench observed that “monitoring of instances of racial discrimination involving citizens from the north-eastern states involves among other things issues pertaining to law enforcement. However, the involvement of the law enforcement machinery is alone not sufficient to resolve the problem. Mind-sets have to be changed including in the universities, colleges and educational institutions, places of work and in society. Sensitivity and inclusion have to be fostered. In order to achieve this, greater awareness of the history and the rich cultural traditions of the north-east is required to be inculcated. The problems faced by persons from the north-east traverse a whole range of issues, from the mundane issues of daily life to matters of education, employment, social security and the fundamental right to live in dignity. The Governments, both at the centre and the states have a non-negotiable obligation to take positive steps to give effect to India's commitment to racial equality. This commitment is embodied in constitutional rights, fundamental duties, statutory provisions and in the international obligations which have been assumed by India.”

The Union Government in the Ministry of Home Affairs was accordingly directed to “take proactive steps to monitor the redressal of issues pertaining to racial discrimination faced by citizens of the nation drawn from the north-east” and for that purpose, it was directed that a regular exercise of monitoring and redressal be “carried out by a Committee consisting of the Joint Secretary (North-east), Ministry of Home Affairs; and two other members to be nominated by the Union Government (one of whom should be a public figure).”

19. On 14<sup>th</sup> December, 2016, in the case of *Union of India v. Rajasthan High Court & Ors.* [Civil Appeal No. 717 of 2016], a three Judge Bench set aside a direction issued by the High Court to the Union Government “to include the Chief Justices and the judges of the High Court in the list of persons exempted from pre-embarkation security checks” at the airports, observing that “matters of security ought to be determined by authorities of the government vested with the duty and obligation to do so. Gathering of intelligence information, formulation of policies of security, deciding on steps to be taken to meet threats originating both internally and externally are matters on which courts singularly lack expertise.”

The Bench observed that undoubtedly breach of security at the airport is an issue of serious concern, however, “a suo moto exercise of the nature embarked upon by the High Court encroaches upon the domain of the executive” and “the formulation of suggestions by the High Court for framing a National Security Policy travelled far beyond the legitimate domain of judicial review.” While observing that “matters of

security are not issues of prestige and are not matters of 'status', the Bench held that the judgment of the High Court was "an example of a matter where the court should not have entered" in exercise of its jurisdiction under Article 226 of the Constitution.

20. On 15<sup>th</sup> December, 2016, in the case of *State of Himachal Pradesh v. Sanjay Kumar @ Sunny* [Criminal Appeal No. 1231 of 2016], while convicting the respondent for raping his nine year old niece, the Supreme Court observed that the reluctance on the part of the prosecutrix (PW-2) in not narrating the incident to anybody for a period of three years and not sharing the same event with her mother (PW-1) was "clearly understandable." It was observed that "in cases of incestuous abuse, more often, silence is built into the abuse."

The Bench further observed that likewise, delay of three days in lodging the FIR by PW-1, after eliciting information from her daughter PW-2, was inconsequential in the facts of the case. It was observed that "most of the time, acquaintance rapes, when the culprit is a family member, are not even reported for various reasons, not difficult to fathom. The strongest among those is the fear of attracting social stigma. Another deterring factor which many times prevent such victims or their families to lodge a complaint is that they find whole process of criminal justice system extremely intimidating coupled with absence of victim protection mechanism. Therefore, time is ripe to bring about significant reforms in the criminal justice system as well. Equally, there is also a dire need to have a survivor centric approach towards victims of sexual violence, particularly, the children, keeping in view the traumatic long lasting effects on such victims."

21. On 15<sup>th</sup> December, 2016, in the case of *M/s Centrotrade Minerals & Metal Inc. v. Hindustan Copper Ltd.* [Civil Appeal No. 2562 of 2006], while examining the validity of two-tier arbitration procedure in India, a three Judge Bench held that "an arbitral award would be final and binding on the parties unless it is set aside by a competent court on an application made by a party to the arbitral award" but this does not exclude the autonomy of the parties to an arbitral award to mutually agree to a procedure whereby the arbitral award might be reconsidered by another arbitrator or panel of arbitrators by way of an appeal and the result of that appeal is accepted by the parties to be final and binding subject to a challenge provided for by the Arbitration & Conciliation Act, 1996.

The Bench held that "the fact that recourse to a court is available to a party for challenging an award does not *ipso facto* prohibit the parties from mutually agreeing to a second look at an award with the intention of an early settlement of disputes and differences. The intention of Section 34 of the Arbitration & Conciliation Act, 1996 and of the international arbitration community is to avoid subjecting a party to an arbitration

agreement to challenges to an award in multiple forums, say by way of proceedings in a civil court as well under the arbitration statute. The intention is not to throttle the autonomy of the parties or preclude them from adopting any other acceptable method of redressal such as an appellate arbitration.”

It was held that “the “final and binding” clause in Section 35 of the A&C Act does not mean final for all intents and purposes. The finality is subject to any recourse that an aggrieved party might have under a statute or an agreement providing for arbitration in the second instance. The award is binding in a limited context.” The Bench observed that “there is nothing in the A&C Act that prohibits the contracting parties from agreeing upon a second instance or appellate arbitration – either explicitly or implicitly” and in the instant case, the arbitration clause in the agreement between the parties did “not violate the fundamental or public policy of India by the parties agreeing to a second instance arbitration.”

22. On 15<sup>th</sup> December, 2016, in the case of *Sita Ram v. Balbir @ Bali* [Contempt Petition (Civil) No. 374 of 2014 in Criminal Appeal No.1834 of 2013], a three Judge Bench held two medical professionals guilty of contempt for extending medical asylum to an accused “without there being any reason or medical condition justifying” his prolonged admission “as an indoor patient as a cover to defeat” the orders passed by the Supreme Court and the trial court, and thereby aid and assist the accused in violating the order of the Supreme Court. The Bench observed that by such conduct the two medical professionals “obstructed administration of justice”. However, the Bench did not impose any punishment on the two medical professionals and granted them “one more opportunity” “to present their view on the issue of punishment.”

23. On 15<sup>th</sup> December, 2016, in the case of *Justice (Retd.) Markandey Katju v. The Lok Sabha & Anr.* [Writ Petition (Civil) No. 504 of 2015], wherein Resolutions passed by the Rajya Sabha and the Lok Sabha condemning the remarks made by the petitioner on his Facebook page regarding Mahatma Gandhi and Netaji Subhash Chandra Bose were in issue, a three Judge Bench examined the question as to whether the power available with the Houses of Parliament to deal with a stranger is only in relation to such act of that stranger which interferes with the functioning of the House and since the remarks of the petitioner did not in any way impede or interfere with the proceedings of Parliament, it was not within the jurisdiction of any of the Houses to take notice of such remarks and pass the Resolutions in question.

The Bench held that “the only restriction in the Constitution as regards subject matter of any debate or discussion is to be found in Article 121 of the Constitution. It is axiomatic for the free functioning of Houses of Parliament or Legislatures of State that

the representatives of people must be free to discuss and debate any issues or questions concerning general public interest. It is entirely left to the discretion of the Presiding Officer to permit discussion so long as it is within the confines of Rules of Procedure.”

While observing that “the condemnation by both the Houses was of the opinion and remarks and did not refer to the conduct or character of the petitioner”, the Bench held that in the context of remarks from a person of the stature of the petitioner, which were put in public domain, “if both Houses thought it fit to pass resolutions in the form of a declaration, it was certainly within their competence. The nature of remarks regarding Mahatma Gandhi and Netaji Subhash Chandra Bose pertain to general public interest and as such the Houses were certainly within their jurisdiction to pass resolutions.”

The Bench observed that “it is true that a citizen or an individual may find himself in a situation where he has no way to reply to the discussion or a resolution passed by the concerned House” and “the concerned individual or citizen may also find himself in a position where the resolution is passed without giving him any opportunity of hearing” which “definitely is a matter of concern and has engaged attention of the concerned in some countries.” While making reference to developments and instances as prevalent in various jurisdictions, the Court held that “in what manner and to what extent the citizen be protected and insulated is for the concerned Houses and Legislatures to decide.”

24. On 15<sup>th</sup> December, 2016, in the case of *The State of Tamil Nadu Rep. By its Secretary Home, Prohibition & Excise Dept & Ors v. K. Balu & Anr.* [Civil Appeal Nos.12164-12166 of 2016], while adverting to the issue of presence of liquor vends on National and State highways across the country in the backdrop of alarming statistics on the occurrence of road accidents, a three Judge Bench issued following directions under Article 142 of the Constitution:- (i) All states and union territories shall forthwith cease and desist from granting licences for the sale of liquor along national and state highways; (ii) The prohibition contained in (i) above shall extend to and include stretches of such highways which fall within the limits of a municipal corporation, city, town or local authority; (iii) The existing licences which have already been renewed prior to the date of this order shall continue until the term of the licence expires but no later than 1 April 2017; (iv) All signages and advertisements of the availability of liquor shall be prohibited and existing ones removed forthwith both on national and state highways; (v) No shop for the sale of liquor shall be (a) visible from a national or state highway; (b) directly accessible from a national or state highway and (c) situated within a distance of 500 metres of the outer edge of the national or state highway or of a service lane along the highway. (vi) All States and Union territories are mandated to strictly enforce the

above directions. The Chief Secretaries and Directors General of Police shall within one month chalk out a plan for enforcement in consultation with the state revenue and home departments. Responsibility shall be assigned inter alia to District Collectors and Superintendents of Police and other competent authorities. Compliance shall be strictly monitored by calling for fortnightly reports on action taken.

25. On 15<sup>th</sup> December, 2016, in the case of *Mohammed Zubair Corporal No.781467-G v. Union of India & Ors.* [Civil Appeal No.8643 of 2009], the appellant, a member of the Indian Air Force, asserted his right to sport a beard on grounds that he was a Muslim, and challenged the Air Force order directing him to shave off his beard contending that it was contrary to Regulation 425(b) of the Regulations governing the Indian Air Force.

While observing that the appellant did not produce any material to indicate that he professed a religious belief that would bring him within the ambit of Regulation 425(b), which applies to “personnel whose religion prohibits the cutting off the hair or shaving off the face of its members”, a three Judge Bench held that the appellant, “having been enrolled as a member of the Air Force, was necessarily required to abide by the discipline of the Force.” It was further held that “regulations and policies in regard to personal appearance are not intended to discriminate against religious beliefs nor do they have the effect of doing so. Their object and purpose is to ensure uniformity, cohesiveness, discipline and order, which are indispensable to the Air Force, as indeed to every armed force of the Union.”

26. On 16<sup>th</sup> December, 2016, in the case of *C.I.T. & Anr. v. M/s Yokogawa India Ltd.* [Civil Appeal No.8498 of 2013], it was held that though Section 10A of the Income Tax Act, 1961, as amended, is a provision for deduction, the stage of deduction would be while computing the gross total income of the eligible undertaking under Chapter IV of the Act and not at the stage of computation of the total income under Chapter VI. The Bench observed that the introduction of the word ‘deduction’ in Section 10A by the amendment, and the scope of the deductions contemplated by Section 10A indicate that “the Section embodies a clear enunciation of the legislative decision to alter its nature from one providing for exemption to one providing for deductions.”

27. On 16<sup>th</sup> December, 2016, in the case of *Ahmedabad Municipal Corporation v. GTL Infrastructure Ltd. & Ors. Etc.* [Civil Appeal Nos. 5360 – 5363 of 2013], wherein levy of property tax on mobile towers under the Gujarat Provincial Municipal Corporations Act, 1949, was under challenge, it was held that there is no reason “as to why, though in common parlance and in everyday life, a mobile tower is certainly not a building, it would also cease to be a building for the purposes of Entry 49 List II of the Seventh Schedule of the Constitution so as to deny the State Legislature the power to levy a tax



thereon. Such a law can trace its source to the provisions Entry 49 List II of the Seventh Schedule to the Constitution.” The Court observed that a “general word like ‘building’ must be construed to reasonably extend to all ancillary and subsidiary matters.”

28. On 16<sup>th</sup> December, 2016, in the case of *State Bank of India v. Santosh Gupta and Anr. Etc.* [Civil Appeal Nos. 12237- 12238 of 2016], while examining the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (“SARFAESI”) in its applicability to the State of Jammu & Kashmir, it was held that the entire SARFAESI Act, including Sections 17A and 18B, is in pith and substance referable to Entries 45 and 95 of List I of the VIIth Schedule to the Constitution, and therefore the Act as a whole would necessarily operate in the State of Jammu & Kashmir.

Observing that the High Court was absolutely wrong in finding that as Section 140 of the Jammu & Kashmir Transfer of Property Act will be infringed, SARFAESI cannot be held to apply to the State of Jammu & Kashmir, the Bench held that “Entries 45 and 95 of List I clothe Parliament with exclusive power to make laws with respect to banking”, and “anything that comes in the way of SARFAESI by way of a Jammu & Kashmir law must necessarily give way to the said law by virtue of Article 246 of the Constitution of India as extended to the State of Jammu & Kashmir, read with Section 5 of the Constitution of Jammu & Kashmir.” The Bench observed that “the State of Jammu & Kashmir has no vestige of sovereignty outside the Constitution of India and its own Constitution, which is subordinate to the Constitution of India.”

## **MAJOR ACTIVITIES OF NATIONAL JUDICIAL ACADEMY (NJA) (01-10-2016 to 31-12-2016)**

**1. Annual National Seminar for the Legal Service Authority Functionaries on Access to Justice and Legal Aid: 01–02 October, 2016:** The seminar provided a forum to discuss legal services to vulnerable sections of society, capacity building in legal aid advocates and para legal volunteers. Discussions also highlighted the need for coordination between SLAs, DSLAs, law colleges, local bodies and NGOs. Important aspects like access to justice and free legal aid to female victims and victims of sexual offences were discussed during the course of the seminar. The seminar enabled the functionaries to share experiences, identify concerns and difficulties encountered while implementing legal aid services. Attention was also given to the role of other stakeholders with whom the LSAs can collaborate to achieve its aims and objectives.

**2. Seminar on the Working of the Central Administrative Tribunal in India: 08 – 09 October, 2016:** The Seminar offered a platform to share experiences and assimilate 'Best Practices'. Deliberations by domain experts helped explore the scope, contours and limits of judicial review in CAT along with scope and application of judicial discretion in adjudication. It further threw light on Constitutional and Administrative Law principles relevant for adjudication in CAT, and helped explore the feasibility of settling service matter issues outside CAT using ADR initiatives. Discussions also touched upon the pace and progress towards paperless adjudication, a movement towards e-Courts.

**3. Annual Conference for High Court Justices on Mapping Public Trust and Confidence in the Justice System: 15-16 October, 2016:** The High Court Justices who attended this Conference deliberated on Mapping Public Trust and Confidence in the Justice System. Issues like significance of public trust in adjudication process, instruments to mend opinion and confidence in the justice system, requirement of radical restructuring of systemic defects in the adversarial system and the role of ICT in augmenting public trust in the justice system received due attention. One of the keenly debated aspects of how the media and movies influence peoples' perception of the justice system was also discussed; in addition, the experts highlighted reasons why procedural fairness is a critical component in public satisfaction.

**4. Workshop on Court Administration, Management of Resources and ICT Tools Usage at the District Level: 15–16 October, 2016:** The main objective of the

workshop was to provide a forum for the participating judges to discuss contemporary themes like re-engineering court process through technology integration; relationship management between different stakeholders; management of court resources; importance of court managers; and time management to strengthen court administration. Discussions also covered crucial issues like the role of National Court Management System and effective use of ICT for digitization of records to improve functioning of the National Judicial Data Grid. Hindrances in terms of connectivity and security faced by district courts in efficient use of ICT were also deliberated. Participants acknowledged that the achievement from this conference was enhancement of knowledge about ICT; usage of ICT Tools at district level; and improved efficiency in ICT Management; time management, and associated areas.

**5. Annual Conference on the Application of Election Laws: 05-06 November, 2016:**

In this Conference for Justices of the High Courts, discussions centered on jurisprudential evolution of election law in India; significance of adult suffrage in a constitutional democracy; issues involved in conducting free and fair elections and emerging challenges in application of election laws in India. The participants guided by eminent domain experts discussed and evaluated judicial contribution to electoral reforms. The Conference provided insights into the application of Election Laws & their weaknesses; challenges faced by the Election Commission of India in ensuring fair & free elections and possible solutions to electoral ills.

**6. Annual National Seminar on Functions of Registrar (Vigilance/ Inspection) in different High Courts: 05– 06 November, 2016:** The Seminar concentrated on highlighting issues of judicial integrity, discipline, accountability, and conduct unbecoming of a judge. In addition, the role and responsibility of the Registrar (Vigilance) in conducting discreet, preliminary and departmental inquiries was also discussed. The pros and cons in use of police while conducting inquiries against judicial officers and court staff was deliberated upon. Domain experts appraised participants on issues pertaining to cognizance and investigation of 'anonymous complaints'; utility of inputs from inspection reports to the vigilance cell; the impact of transparency and accountability in vigilance cells on performance appraisal of judicial officers.

**7. Annual National Seminar on Working of the Family Courts in India: 12-13 November, 2016:** The objective of the seminar for presiding officers of Family Courts was to sensitize and equip them to reflect on protecting rights in family court proceedings; enhancing judicious approach by family judges during maintenance and divorce proceedings; determination of best interests of the child; effective use of ADR methods and benefits of couple therapy in resolving family disputes.

**8. Training Programme for Judges from Sri Lanka: 14-18 November, 2016:** The training programme for judges from Sri Lanka concentrated on acquainting the participant judges with International and Indian approaches on appreciation of electronic evidence, cybercrimes; and legislative and judicial responses to cybercrimes with special reference to India. Other topics that were discussed were relevance of circumstantial evidence; disparity and discrimination in sentencing policies; contours of social action litigation; and the law and practice on contempt of court in the Indian and Sri Lankan context. Alternative Disputes Resolution initiatives, both in India and Sri Lanka were also discussed.

**9. Workshop on Applicability of ADR techniques to Reduce Pendency in Courts: 26– 27 November, 2016:** The Workshop on Applicability of ADR techniques to Reduce Pendency in Courts was formulated to provide a platform to comprehend and explore effective use of ADR system; its applicability, strategies and techniques to achieve the goal enshrined in the Constitution, and to secure to all citizens access to justice in a time bound manner. Discussions on different topics like Challenges in Implementation of ADR systems in Subordinate Courts- A Critical Analysis; ADR, Mediation and Section 89 of CPC; Understanding conflict, their bases and groundings: Strategies and Techniques; Reducing differences between parties: Role of different stakeholders highlighted various processes involved in successfully resolving a dispute through mediation. Application of Mediation Techniques were highlighted through role play wherein participant judges took on different roles and enacted the process and solutions.

**10. Annual National Seminar on Working of the Special Courts established under the SC/ST (PoA) Act: 03–04 December, 2016:** The Seminar provided a generic view of the evolution and contours of marginalization and social exclusion in India. The participants were familiarized with judicial issues under the SC/ST (PoA) Act, and gender based atrocities against SC/ST women in India. Presentations by domain experts highlighted the law and practices relating to award and standardization of victim compensation.

**11. Colloquium on Art, Science and Craft of Judging for Newly Elevated Judges: 10–11 December, 2016:** This programme addressed issues pertaining to judicial reasoning, analysis of precedents, challenges in judging and importance of objectivity in decision making process. The Colloquium further provided the participant justices a platform to discuss challenges encountered in reconciling conflicting precedents guided by domain experts.

**12. Regional Conferences of the National Judicial Academy:** During October to December 2016 three Regional Conferences were organized.

For the **South Zone**, the Conference was held on 22<sup>nd</sup> & 23<sup>rd</sup> October, 2016 and was attended by High Court justices and judges of the subordinate judiciary representing the High Courts of Andhra Pradesh & Telangana; Karnataka; Kerala and Madras. Resource Persons who guided the sessions during the south zone conference were, Hon'ble Mr. Justice Madan B. Lokur; Hon'ble Mr. Justice Kurian Joseph; Hon'ble Mr. Justice L. Nageswara Rao; Hon'ble Mr. Justice Sanjay Kishan Kaul; Hon'ble Dr. Justice (Retd.) Mukundakam Sharma; Hon'ble Ms. Justice (Retd.) Ruma Pal; Hon'ble Ms. Justice (Retd.) Prabha Sridevan; Hon'ble Mr. Justice (Retd.) Sunil Ambwani & Hon'ble Mr. Justice (Retd.) Ram Mohan Reddy.

The **West Zone** Regional Conference was held on 19–20 November, 2016 in association with the High Court of Judicature at Jodhpur, Rajasthan and the Rajasthan State Judicial Academy, wherein participants from the High Courts of Rajasthan, Maharashtra; Gujarat and Madhya Pradesh were present. They were guided by Hon'ble Mr. Justice A.K. Goel; Hon'ble Mr. Justice (Retd.) S. J. Mukhopadhaya; Hon'ble Mr. Justice (Retd.) K. Kannan; Hon'ble Mr. Justice Navin Sinha; Hon'ble Mr. Justice Govind Mathur; Hon'ble Mr. Justice Ajay Rastogi; Hon'ble Ms. Justice Nirmaljit Kaur; Hon'ble Ms. Dr. Justice S.S. Phansalkar Joshi; Hon'ble Mr. Justice S.G. Shah; Hon'ble Mr. Justice Sanjeev Sachdeva; Hon'ble Mr. Justice (Retd.) K. Chandru; Mr. R. Venkataramani and Prof. (Dr). Mohan Gopal.

For the **East Zone1**, the Conference was held on 17–18 December, 2016 in association with the High Court of Judicature at Patna, Bihar and the Bihar State Judicial Academy. 59 participants from the High Courts of Chhattisgarh, Jharkhand, Patna and Orissa attended this conference. The participants were guided by Hon'ble Mr. Justice Dipak Misra; Hon'ble Mr. Justice A.K. Goel; Hon'ble Mr. Justice (Retd.) B.S. Chauhan; Hon'ble Mr. Justice (Retd.) Shiva Kirti Singh; Hon'ble Mr. Justice (Retd.) A.K. Ganguly; Hon'ble Mr. Justice (Retd.) Sunil Ambwani; Hon'ble Mr. Justice Navin Sinha; Prof. (Dr.) A. Lakshminath.

## **MAJOR ACTIVITIES OF NATIONAL LEGAL SERVICES AUTHORITY (NALSA) (01-10-2016 to 31-12-2016)**

**1. Launch of Web Portal of NALSA:** A new Web Portal has been developed by NALSA along with a Portal for filing online applications and another Portal for web based monitoring of grievances. The same was launched by Hon'ble Mr. Justice T.S.Thakur, Hon'ble Chief Justice of India and Shri Ravishankar Prasad, Hon'ble Union Law Minister on 1<sup>st</sup> October, 2016 at a function held at DRDO Bhawan, New Delhi. NALSA is also working to develop a Portal for online uploading of statistical information by SLSAs and DLSAs.

**2. Release of Theme Song of NALSA:** The Theme Song depicting NALSA's commitment to provide access to justice to all the marginalised communities all over the country was released by Hon'ble Mr. Justice T.S.Thakur, Hon'ble Chief Justice of India and Shri Ravishankar Prasad, Hon'ble Union Law Minister on 1.10.2016. Five capsules of short duration showing legal services provided to various sections along with a Sanklap Song were released on the Legal Services Day on 9<sup>th</sup> November, 2016.

**3. Documentary of NALSA:** The documentary depicts the working of Legal Services Authorities and highlighting some of the cases where intervention by the Legal Services Authorities helped individuals from the marginalised sections to claim their entitlements and realise their rights.

**4. National Consultation on Challenges in Mediation and Way Forward held on 01.10.2016 at New Delhi:** A National Consultation on Challenges in Mediation and Way Forward was organised on 01.10.2016 at Dr.D.S.Kothari Auditorium, New Delhi. The said Workshop was attended by the Hon'ble Executive Chairpersons of SLSAs, Chairmen and Members of the Mediation Committee of the High Courts, 2-3 Mediators/Trainers from each High Court. The main objectives of the workshop were to promote coordination between the Legal Services Institutions and the Mediation Committees for management of the mediation activities and to ensure adequate provisions for funds required for the same.

**5. Two New Schemes of NALSA:** (i) NALSA (Legal Services to Victims of Acid Attacks) Scheme, 2016: In the matter of Laxmi v. Union of India, W.P.(C) No.129/2006, the Hon'ble Supreme Court of India vide order dated 10.04.2015, directed that the Member Secretaries of the State Legal Services Authorities (SLSAs) shall take up the issue with the State Government so that the orders passed by the Court were complied with and a minimum of Rs.3,00,000/- was made available to each victim of acid attack. The Member Secretaries, SLSAs were also directed by the Hon'ble Supreme Court of India to give wide and adequate publicity in the State/Union Territory to the Victim Compensation Scheme so that each acid attack victim could take the benefit of the Victim Compensation Scheme. In this connection, NALSA has prepared a Scheme, NALSA (Legal Services to Victims of Acid Attacks) Scheme, 2016 to facilitate the victims of acid attacks which was released on 9<sup>th</sup> November, 2016. (ii) NALSA (Legal Services to Senior Citizens) Scheme, 2016: A scheme has been prepared for legal services to senior citizens, which has been released on 09.11.2016.

**6. National Initiative towards Strengthening Arbitration and Enforcement in India on 21-23 October, 2016 at New Delhi:** The National Legal Services Authority along with National Institution for Transforming India (NITI Aayog), Govt. of India and Ministry of Law & Justice organised a Global Conference on "National Initiative towards Strengthening Arbitration in India" in Delhi from 21<sup>st</sup> to 23<sup>rd</sup> October, 2016. Hon'ble Mr. Justice T.S.Thakur, the Patron-in-Chief, NALSA was the Chief Patron of the said Global Conference. The said Conference was inaugurated by the Hon'ble President of India on 21<sup>st</sup> October, 2016 and the Valedictory Session on 23<sup>rd</sup> October, 2016 was addressed by the Hon'ble Prime Minister of India. The technical sessions on 22<sup>nd</sup> & 23<sup>rd</sup> were held in the form of panel discussions.

**7. Training Modules:** Two training modules have been developed by the Training Modules Committee of NALSA (i) Training Module for Legal Services Lawyers Part-II; and (ii) Training Module for Legal Services Lawyers and Probation Officers attached to the Juvenile Justice Boards under the Juvenile Justice (Care and Protection of Children) Act, 2015. A four day Pilot Training Programme for Probation Officers and Legal Services Lawyers attached to JJBs was conducted at Maharashtra Judicial Academy, Thane from 27-30 August, 2016. After the publication of the JJ Rules, 2016, suitable amendments have been made in the Module and the Module has been released on 9<sup>th</sup> November, 2016 alongwith the Training Module for Legal Services Lawyers Part-II.

**8. Observance of Legal Services Day – 2016:** National Legal Services Authority observed the 'Legal Services Day' in association with the Delhi State Legal Services Authority at Vigyan Bhawan, New Delhi. Hon'ble Mr. Justice T.S.Thakur, the Chief Justice of India & Patron-in-Chief, NALSA was the Chief Guest. A commendation

ceremony was held wherein the contributions of the best District Legal Services Authorities and best Para Legal Volunteers in six different zones and also, the National Best in both categories were recognized. Apart from the above, the Hon'ble Chief Guest also released:

- a) An Anthem (Sankalp Song) for legal services functionaries
- b) Five Real Stories of Access to Justice by Legal Services Authorities
- c) NALSA (Legal Services to Victims of Acid Attacks) Scheme, 2016
- d) NALSA (Legal Services to Senior Citizens) Scheme, 2016
- e) Training Module for Legal Services Lawyers Part-2
- f) Training Module for Probation Officers and Legal Services Lawyers attached to the Juvenile Justice Boards (Samvedan);
- g) Vidhik Seva Vigyapti – A Quarterly Legal Services Bulletin Issue No.1 & 2.

**9. Two Day Mass Door to Door Campaign through Para Legal Volunteers (PLVs) was organised across the States and UTs on 2-3 November, 2016:** As a prelude to the celebrations of the Legal Services Day on 9<sup>th</sup> November, 2016, 'Two Day Mass Door to Door Campaign' through the Para Legal Volunteers (PLVs) was organised across the States and UTs on 2-3 November, 2016. This mass campaign proved to be highly successful and in a matter of two days, 15,77,577 household members across the country were covered and the total persons covered were 79,24,392.

**10. Legal Services to Disaster Victims – Indore Patna Express Train derailed on 20.11.2016:** National Legal Services Authority has a Scheme for Legal Services to Disaster Victims through Legal Services Authorities for helping victims of disasters ensuring immediate help from Government and Non-Government agencies to the victims. In the light of the above said Scheme, NALSA has directed the State Legal Services Authorities concerned to set-up Help-Desks at the Hospitals, Railway Stations, opening Legal Services Clinics where felt necessary, deploying Para Legal Volunteers (PLVs) and Panel Lawyers to assist the victims and taking other steps as per the scheme. In this regard, UPSLSA informed that 13 PLVs of Bhognipur Tehsil near Pukhrayan Railway Station were deputed for providing necessary help to the victims of the rail accidents and has also published names and mobile numbers of the PLVs in the newspapers so deputed so that the victims can contact them easily.

**11. Assistance to common people through Para Legal Volunteers (PLVs) – Exchange of Currency Notes:** The Government of India has brought out a Scheme for the demonetisation of Rs.500/- and Rs.1000/- currency notes which were in circulation. As a result, there were long queues in front of Banks to deposit money or to exchange the note. Many a times, the common public was not aware of the procedure for exchange of notes or other legal formalities required due to the new policy put in place. In this regard, NALSA directed all State Legal Services Authorities (SLSAs) through



District Legal Services Authorities (DLSAs) to deploy Para Legal Volunteers (PLVs) who may set up Help-Desk outside the Banks to assist the common public in filling up forms for exchange of notes and in making them aware of their rights.

**TOTAL DISPOSAL IN MONTHLY NATIONAL LOK ADALATS ORGANISED ON VARIOUS SUBJECT MATTERS DURING THE PERIOD FROM 1<sup>ST</sup> OCTOBER, 2016 TO 31<sup>ST</sup> DECEMBER, 2016**

<b>S. No</b>	<b>Date</b>	<b>Subject</b>	<b>No. of Disposal of cases/matters (Both Pre-litigative and Post litigative stages)</b>
1.	08.10.2016	Traffic, Petty Matters and Municipal Matters	10,96,932
2.	12.11.2016	All types of cases	51,46,084

## **SOME MAJOR EVENTS**

### **(From 01-10-2016 to 31-12-2016)**

**CELEBRATION OF CONSTITUTION DAY:** Constitution Day, also known as Samvidhan Divas, is celebrated on 26<sup>th</sup> November every year to commemorate the adoption of Constitution of India. On this day in 1949, the Constituent Assembly of India adopted the Constitution of India, and it came into effect on 26<sup>th</sup> January 1950. The Supreme Court of India organized a function on 26<sup>th</sup> November, 2016 at Zorawar Hall, Manekshaw Centre, Delhi Cantt to celebrate the Constitution Day.

On this occasion a Lecture series on the development of Constitutional law and jurisprudence in the country was started. Hon'ble Mr. Justice M.N. Venkatchaliah, Former Chief Justice of India delivered the first lecture on the theme "Constitutional Adjudication and Judicial Legislation Scope". On this occasion, Hon'ble Shri T.S. Thakur, Chief Justice of India released two books namely "Indian Judiciary: Annual Report 2015-2016" and "Courts of India – Past to Present". Hon'ble the Chief Justice of India felicitated following eminent jurists, lawyers/academicians in the august presence of Shri Ravi Shankar Prasad, Union Minister for Law and Justice, Hon'ble Judges of Supreme Court, former Hon'ble Chief Justices and Judges of Supreme Court, and Chief Justices and Judges of various High Courts: (i) Hon'ble Shri Justice M.N. Venkatachaliah, Former Chief Justice of India; (ii) Shri K. Parasaran, Senior Advocate; (iii) Shri Soli J. Sorabjee, Senior Advocate; (iv) Shri Ashok H. Desai, Senior Advocate; (v) Shri Ram Jethmalani, Senior Advocate; (vi) Shri K.K. Venugopal, Senior Advocate; (vii) Shri Fali S. Nariman, Senior Advocate; (viii) Shri Anil B. Divan, Senior Advocate; (ix) Shri T.R. Andhyarujina, Senior Advocate; (x) Shri P.P. Rao, Senior Advocate; (xi) Prof. (Dr.) N.R. Madhava Menon and (xii) Prof. (Dr.) Upendra Baxi.

The function was also attended by Judicial Officers of Delhi Judicial Service, Office bearers of National Legal Service Authority, Delhi State Legal Service Authority, Indian Law Institute, Bar Council of India, Supreme Court Bar Association, Supreme Court Advocate on Record Association, Department of Justice, Department of Legal Affairs, Legislative Department, International Centre for Alternative Dispute Resolution, Supreme Court Legal Services Committee, Members of Governing Council of ICADR, Legal Aid Counsels, Para Legal Volunteers and Advocates. On the occasion, a cultural programme depicting the rich cultural heritage of the country under the banner 'Unity in Diversity' was also organized by the Western region States of Gujarat, Rajasthan, Maharashtra and Goa.

## **SOME IMPORTANT VISITS AND CONFERENCES (From 01-10-2016 to 31-12-2016)**

### **ABROAD:**

Hon'ble Mr. Justice Adarsh Kumar Goel visited Bangladesh to participate in the South Asia Judicial Conference on Environment and Climate Change co-hosted by the Supreme Court of Bangladesh in collaboration with the Asian Development Bank (ADB) held at Dhaka from 25<sup>th</sup> to 26<sup>th</sup> November, 2016.

### **INLAND:**

1. Hon'ble Shri T. S. Thakur, Chief Justice of India, visited (i) Jammu (Jammu & Kashmir) – for (a) inauguration of D.D. Thakur Memorial Library at Ramban, (b) inauguration of Community Hall and Public Library at Batroo, (c) inauguration of New Munsif Court at Koonchi, (d) foundation of New Court Complex at Ukhral and (e) welcome and inaugural Function at Ukhral in Higher Secondary School Complex on 9<sup>th</sup> October, 2016 ; (ii) Chennai (Tamil Nadu) – to attend the Golden Jubilee Celebrations (50 years) of CP Ramaswamy Iyer Foundation on 15<sup>th</sup> October, 2016; (iii) Cochin (Kerala) – to inaugurate the Diamond Jubilee Celebration of High Court of Kerala at Ernakulam on 1<sup>st</sup> November, 2016; (iv) Kolkata (West Bengal) – to attend (a) the Meeting of General Council of West Bengal National University of Juridical Sciences on 12<sup>th</sup> November, 2016 and (b) Convocation of West Bengal National University of Juridical Sciences on 13<sup>th</sup> November, 2016; (v) Ajmer (Rajasthan) – to preside over the Prize Giving Ceremony at Mayo College, Ajmer on 4<sup>th</sup> December, 2016; and (vi) Visakhapatnam (Andhra Pradesh) – to attend Convocation at Damodaran Sanjivayya National Law University on 17<sup>th</sup> December, 2016 and (vii) Bengaluru (Karnataka) – for inauguration of State Judicial Officers' Conference on 19<sup>th</sup> December, 2016.

2. Hon'ble Mr. Justice Anil R. Dave visited (i) Jammu (Jammu & Kashmir) – to attend (a) inauguration of D.D. Thakur Memorial Library at Ramban, (b) inauguration of Community Hall and Public Library at Batroo, (c) inauguration of New Munsif Court at Koonchi, (iv) foundation of New Court Complex at Ukhral and (d) welcome and inaugural Function at Ukhral in Higher Secondary School Complex on 9<sup>th</sup> October, 2016 and (ii) Mumbai (Maharashtra) – to attend a function of the High Court Bar on 19<sup>th</sup> November, 2016.

3. Hon'ble Mr. Justice Dipak Misra (i) attended, as a Chief Guest, inauguration of New Building of MPSSA at Jabalpur, Madhya Pradesh on 15<sup>th</sup> October, 2016; (ii) attended, as a Chief Guest, the Second Regional Conference on sensitization of Family Court Matters at Judicial Training & Research Institute, Lucknow on 22<sup>nd</sup> October, 2016; (iii) attended Second Foundation Day Lecture at National Law University, Cuttack on 5<sup>th</sup> November, 2016; (iv) attended, as a Chief Guest, function of release of the Souvenir Commemorating the Centennial Celebration of the First Sitting of the Circuit Bench of High Court of Orissa in the New Conference Hall of the Old Building of the Court at Cuttack on 19<sup>th</sup> November, 2016; (v) participated in the Constitution Day Function organized by the Supreme Court at Zorawar Hall, Manekshwa Centre, Delhi Cantonment Delhi on 26<sup>th</sup> November, 2016; (vi) attended, as a Chief Guest, 3<sup>rd</sup> University Lok Adalat for Teaching & Non-Teaching

Employees of the Universities of the State of Jharkhand at Jharkhand High Court premises; and inaugurated, as a Chief Guest, Legal Literacy Club in 500 Schools of the State of Jharkhand at Kasturba Gandhi Balika Vidyalaya, Mandar on 10<sup>th</sup> December, 2016; (vii) addressed the inaugural session of “East Zone I Regional Conference for Enhancing the Excellence of Judicial Institutions: Challenges & Opportunities” and chaired Session-I on the theme “Importance of Ethics, Integrity and Discipline” at Bihar Judicial Academy on 17<sup>th</sup> December, 2016; and (viii) participated in the inaugural function of 45<sup>th</sup> Annual Conference of All Odisha Lawyers’ Association hosted by Chatrapur Bar Association, Chatrapur, Odisha on 29<sup>th</sup> December, 2016.

4. Hon'ble Mr. Justice J. Chelameswar visited (i) Kochi (Kerala) – to attend (a) the inauguration of New District Court Complex at Ernakulam and (b) Diamond Jubilee Celebrations of the High Court of Kerala on 1<sup>st</sup> November, 2016 and (ii) Penukonda (Andhra Pradesh) – to attend 144<sup>th</sup> year celebrations of Munsif Court, Penukonda on 19<sup>th</sup> November, 2016.

5. Hon'ble Mr. Justice Madan B. Lokur visited (i) Chungthang and Gangtok (Sikkim) – to (a) inaugurate the ‘Foundation Stone Laying Ceremony of The Court of the Civil Judge-cum-Judicial Magistrate’, Chungthang Sub-Division, North Sikkim on 9<sup>th</sup> October, 2016 and (b) inaugurate the ‘Sensitization Programme on Mediation’ organized by the Sikkim State Legal Services Authority, Gangtok on 14<sup>th</sup> October, 2016; (ii) Hyderabad (Andhra Pradesh & Telangana) – to attend the Regional Conference on Enhancing Excellence of the Judicial Institutions: Challenges & Opportunities (South Zone) organized by the National Judicial Academy in collaboration with the High Court of Judicature at Hyderabad from 22<sup>nd</sup> to 23<sup>rd</sup> October, 2016; (iii) Cochin (Kerala) – to attend the Eighth Biennial Meeting of Commonwealth Judicial Educators held at Vivanta by Taj – Malabar, Cochin from 12<sup>th</sup> to 14<sup>th</sup> November, 2016; (iv) Guwahati (Assam) – to attend the Regional Consultation on Effective Implementation of Juvenile Justice Act 2015 – Focus on Rehabilitation Services and Linkages with POCSO organized by the Supreme Court Juvenile Justice Committee and the Gauhati High Court from 26<sup>th</sup> to 27<sup>th</sup> November, 2016; and (v) Chandigarh – to attend the Academic Programme for Sri Lankan Judges organized by Chandigarh Judicial Academy from 12<sup>th</sup> to 13<sup>th</sup> December, 2016.

6. Hon'ble Mr. Justice Kurian Joseph visited (i) Hyderabad (Andhra Pradesh & Telangana) – to attend the Regional Conference on Enhancing Excellence of the Judicial Institutions: Challenges & Opportunities on 22<sup>nd</sup> October, 2016; (ii) Guwahati (Assam) – as a Chief Guest at the Inaugural Ceremony – Seminar on Justice Delivery System (Arrears & Its Solutions) on 13<sup>th</sup> November, 2016; (iii) Thiruvananthapuram (Kerala) – (a) to deliver V.K. Krishna Menon Lecture on “Fundamental Duties under The Constitution” at Kerala Law Academy campus, Peroorkada, Trivandrum and (b) to present Justice V.R. Krishna Iyer Award, 2016 at Adhayapaka Bhavan Hall on 14<sup>th</sup> November, 2016; (iv) Thrissur and Palakkad (Kerala) – (a) for Inaugural Address on “South Asia Regional Workshop on Asian concerns on Human Rights” organized by May Foundation and Jananeethi at Thrissur and (b) to attend as a Chief Guest at the Workshop on Environmental Law Practice, Combating Corruption & Advocacy, Law of Evidence, Essentials of Transfer of Property” organized by the Bar Council of India at Green Land Farm Houses, Nelliampathi, Palakkad on 10<sup>th</sup> December, 2016 and (v) Bhopal (Madhya Pradesh) – to attend the Colloquium on Art, Science and Craft of Judging for Newly Elevated Judges” organized by the National Judicial Academy, Bhopal on 11<sup>th</sup> December, 2016.

7. Hon'ble Mr. Justice A.K. Sikri visited (i) Uttarakhand – to participate in the Yes Bank Kumaon Literary Festival at Jim Corbett National Park, Uttarakhand on 12<sup>th</sup> October, 2016 ; (ii) Chandigarh – to attend the Golden Jubilee Celebration of the establishment of District Courts from 5<sup>th</sup> to 6<sup>th</sup> November, 2016; (iii) Gurgaon (Haryana) – to attend the Conference-cum-Retreat on Spirituality for Just & Peaceful Society organized by the Jurists Wing of Rajyoga Education & Research Foundation and Prajapita Brahma Kumaris Ishwariya Vishwa Vidyalaya on 12<sup>th</sup> November, 2016; (iv) Chennai (Tamil Nadu) – to attend the Valedictory Function of Commonwealth Legal Education Association (ASIA-INDIA) Moot Court Competition, 2016 at VELS University, Chennai on 13<sup>th</sup> November, 2016 and (v) Durg and Bilaspur (Chhattisgarh) – to attend (a) function at Durg organized by the District Bar Association, Durg on 17<sup>th</sup> December, 2016 and (b) the Induction Training Programme for the newly appointed Judicial Officers at the High Court Auditorium and the programme organized by the Bar Association of the High Court at Bilaspur on 18<sup>th</sup> December, 2016.

8. Hon'ble Mr. Justice S. A. Bobde visited Mumbai (Maharashtra) – to participate in the Sesquicentenary Function organized by Bombay Bar Association at Jamshed Bhabha Auditorium, NCPA, Mumbai on 19<sup>th</sup> November, 2016.

9. Hon'ble Mr. Justice R. K. Agrawal visited (i) Allahabad (Uttar Pradesh) – to attend Golden Jubilee Celebration of MLN Medical College, Allahabad 'Swaran Sangam 2016' as Chief Guest on 14<sup>th</sup> October, 2016; (ii) Noida (Uttar Pradesh) – to judge the final round of the 6<sup>th</sup> Amity International Moot Court Competition 2016 on 5<sup>th</sup> November, 2016 at Amity Law School; (iii) Allahabad (Uttar Pradesh) – to participate (a) in the function to commemorate the Centenary of the Allahabad High Court Building at High Court Grounds, Allahabad on 26<sup>th</sup> November, 2016 and (b) in the opening ceremony of three residential buildings for Hon'ble Judges at Stanley Road, Allahabad on 27<sup>th</sup> November, 2016; (iv) Pusa (New Delhi) – to attend as Chief Guest in the National Tax Convention – 2016 on 2<sup>nd</sup> December, 2016; (v) DRDO Bhawan (New Delhi) – to participate in the Human Rights Day Celebrations on 10<sup>th</sup> December, 2016 and (vi) Varanasi (Uttar Pradesh) – to participate in the National Conference on GST on 17<sup>th</sup> December, 2016.

10. Hon'ble Mr. Justice N.V. Ramana visited Chennai (Tamil Nadu) – to inaugurate and attend as Chief Guest in the Regional Conference on Environment-2016 at Tamil Nadu Dr. Ambedkar Law University, Taramani, Chennai on 22<sup>nd</sup> October, 2016.

11. Hon'ble Mr. Justice Arun Mishra visited (i) Gwalior (Madhya Pradesh) – (a) to attend the State Bar Council Function and (b) another function organized by the District Bar Association, Guna on 26<sup>th</sup> November, 2016 and (ii) delivered Key Note Address as the Chief Guest at the "Second Regional Conference on Juvenile Justice & Capacity Building to ensure proper implementation of law relating to Child" at Galav Sabhagar, Jiwaji University Campus, Gwalior on 10-11 December, 2016.

12. Hon'ble Mr. Justice Adarsh Kumar Goel visited (i) Chandigarh – (a) to attend the inaugural function pertaining to Golden Jubilee Celebrations of the establishment of District Courts at Chandigarh and (b) for inauguration of Juvenile Justice Board, Chandigarh, as Chief Guest on 1<sup>st</sup> November, 2016; (ii) Jodhpur (Rajasthan) – to attend "West Zone Regional Conference for Enhancing the Excellence of Judicial Institutions: Challenges & Opportunities [P-1001]" at Jodhpur on 19<sup>th</sup> November, 2016; (iii) Chandigarh – to attend the Academic Programme organized by the Chandigarh Judicial Academy on "The Role of Courts in upholding the Rule of Law", at Chandigarh, on 13<sup>th</sup> December, 2016 and (iv)

Patna (Bihar) – to hold “Session-5 of the East Zone Regional Conference” at the Bihar Judicial Academy, Patna on 18<sup>th</sup> December, 2016.

13. Hon'ble Mrs. Justice R. Banumathi (i) attended the Regional Conference on 'Environment 2016' organised by the National Green Tribunal at the Auditorium, Tamil Nadu Dr. Ambedkar Law University, Chennai and the other States Pollution Control Board / Committee, Chennai on 22<sup>nd</sup> and 23<sup>rd</sup> October, 2016; (ii) inaugurated the 'Legal Literacy Club' organised by Jharkhand Legal Services Authority on 10<sup>th</sup> December, 2016 and (iii) attended the 3<sup>rd</sup> University of Jharkhand Lok Adalat organised by Jharkhand Legal Services Authority for settling the grievances of teaching and non-teaching employees of the University on 10<sup>th</sup> December, 2016.

14. Hon'ble Mr. Justice A.M. Khanwilkar visited Jammu (Jammu & Kashmir) – for attending the (i) inauguration of D.D. Thakur Memorial Library at Ramban, (ii) inauguration of Community Hall and Public Library at Batroo, (iii) inauguration of New Munsif Court at Koonchi, (iv) foundation of New Court Complex at Ukhral and (v) welcome and inaugural Function at Ukhral in Higher Secondary School Complex on 9<sup>th</sup> October, 2016.

15. Hon'ble Dr. Justice D.Y. Chandrachud visited (i) Jammu (Jammu & Kashmir) – for attending the (a) inauguration of D.D. Thakur Memorial Library at Ramban, (b) inauguration of Community Hall and Public Library at Batroo, (c) inauguration of New Munsif Court at Koonchi, (d) foundation of New Court Complex at Ukhral and (e) welcome and inaugural Function at Ukhral in Higher Secondary School Complex on 9<sup>th</sup> October, 2016; (ii) Mumbai (Maharashtra) – to attend Sesquicentenary (1866-2016) function organized by Bombay Bar Association at Jamshed Bhabha Auditorium, NCPA, Mumbai on 19<sup>th</sup> November, 2016 and (iii) Sonipat (Haryana) – to attend Inauguration of 18<sup>th</sup> World Congress of Criminology at O.P. Jindal Global University, Sonipat on 15<sup>th</sup> December, 2016. His Lordship also attended (i) a video conference in the Conference Hall of Supreme Court of India on “Arbitration and Rule of law” organised by the Bingham Center for the Rule of Law at London on 2<sup>nd</sup> November, 2016 and (ii) a one day Conference organised by the United Nations UNCITRAL on “50 years of UNCITRAL EXPERIENCE FROM THE ASIA-PACIFIC REGION” in Vigyan Bhawan, New Delhi on 28<sup>th</sup> November, 2016

16. Hon'ble Mr. Justice Ashok Bhushan (i) delivered special address on the Diamond Jubilee of the Kerala High Court and inaugurated the New District Court Complex at Ernakulam (Kochi); (ii) delivered address during the valedictory session of the Commonwealth Legal Education Association (CLEA) Asia- India Regional Conference-2016 on “Freedom of Speech and Expression” organised by the Law Commission of India in association with CLEA and Lloyd Law College on 6<sup>th</sup> November, 2016; (iii) delivered address as distinguished guest of Honour at the Seventh Annual Prakash Mehrotra Memorial Lecture on “Bhagwad Gita- An Administrative Discourse” on 11<sup>th</sup> November, 2016; (iv) Presided and delivered address at 24<sup>th</sup> Anniversary (Vaarshik Adhiveshan) of Itawah Hindi Sewa Nidhi on 13<sup>th</sup> November, 2016; (v) delivered address at Centenary Celebrations of Allahabad High Court on completion of the 100 years of the High Court on 26<sup>th</sup> November, 2016 and (vi) delivered address at 175<sup>th</sup> Anniversary of the Banaras Bar Association, Varanasi “Shatheerak Samman Samaroh” at the Diwani Court Complex, Varanasi on 24<sup>th</sup> December, 2016.

17. Hon'ble Mr. Justice L. Nageswara Rao visited Hyderabad (Andhra Pradesh & Telangana) – to attend the “South Zone Regional Conference on Enhancing Excellence of the Judicial Institutions: Challenges & Opportunities” on 22<sup>nd</sup> October, 2016.



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