

Year 2016 - We aspire

Justice delivery system the world over is essentially manned by people who are learned and trained in law. Globalization has had its impact not only on the economy of each nation but also on the learning and training of judicial personnel and other related functionaries in the judicial process. All the countries which want to benefit from the new economic order emerging from globalization have little choice but to bring in new legislation and update their existing domestic machinery in tune with the transnational laws. Training of judicial officers and other connected functionaries to keep pace with these developments becomes imperative as also challenging. To meet the challenges, it is necessary to appreciate the nuances and importance of the need for generation of knowledge and development of training programmes for judicial personnel and other functionaries.

Human rights jurisprudence permeates various spheres of legislative activity and judicial law making process in all the progressive societies of today. The rights of vulnerable sections like women, children, differently abled and transgenders have received recognition world over in this century, even though much more needs to be done on the ground level to make such measures meaningful.

In the new and emerging scenario, tangible property rights and litigations surrounding them seem to suffer relegation in comparison to the litigations for enforcing intellectual property rights (IPR) which are creation of the human mind, and have the potential of generating wealth manifold.

New situations resulting from various activities call for new responses involving remedial measures and regulatory systems. As the new developments have international dimensions, society's responses are to be equally multidimensional. Issues relating to environment have become a concern of the whole world as these involve third generation rights and, have great importance for the present as well as the future generations of mankind. Every endeavour, therefore, needs to be made to protect the environment. This calls for evolution of visionary legal framework on environment protection. The duties envisaged by the Constitution need to be strictly enforced. Violation of laws and non-observance of duties must be dealt with sternly. A judiciary imbued with the responsibility of enforcement of laws is inevitable. Our future judges need to be informed, educated and sensitized in contemporary areas. Vulnerable sections of the society need the care and protection of a judiciary committed to justice and devoted to values essential for the sustenance of plural society. The challenges thrown up by new areas of law are to be met by the judges. For this, they are to be equipped with new skills and knowledge. This naturally requires for innovative training.

There is a need to educate the judicial officers about the various advantages of the information technology, its relevance, importance and need for use in the day to day functioning of the courts. Further, they require to be educated about the potential damage that misuse of technology can cause by those engaged in terrorism and organized crimes and laws to deal with the challenges posed by them to the safety, security and integrity of the nation.

Violation of cyber laws is yet another challenge which the judiciary has to grapple with and, therefore, it has to be incorporated as an integral component of judicial education and training programme. Some of these areas formed part of the curriculum of the DJA in the year 2015 and the officers at all levels were sensitized and updated in these areas with some success.

It goes without saying that even though the economic prosperity of the nation may have improved, some sections of the society like workers, both in the organized and unorganized sectors, are craving for a better deal. India being wedded to the philosophy of socialism and socio-economic justice, which are constitutional values, cannot afford to go for economic development which is not inclusive. Protecting and promoting the rights of workers who contribute to the health and wealth of the nation is the responsibility of all functionaries of the state-legislature, the executive and the judiciary.

Training imparted in isolation and confined to the judicial officers only does not fetch the desired results. 'Access to Justice' in its real form can only be achieved if the administrative functionaries of the Judiciary perform their duties efficiently. At the Delhi Judicial Academy we believe that the training of officials of administrative branch is as important as training of judges. In pursuance of this objective of the DJA in the previous year conducted several field studies and training programmes for the administrative officers of various courts including the High Court of Delhi. Needless to state that considerable success cannot be achieved by imparting knowledge and skills based upon the constitution at values only to the judicial officers at various levels. It is imperative that such value based training is imparted to other stakeholders in the judicial process as well. The DJA has, in the year 2014-2015 conducted a programme for senior police officials where senior judges of the Delhi High Court interacted with them and shared their expertise and knowledge. The objective was to train them on how the evidence on record can be converted to legal evidence in the courts of law and how checklists are to be prepared by the investigating officer under the supervision of the senior officers while conducting the investigation. Further, in the said interaction emphasis was laid one how to use the modern technology for collection of scientific evidence during the investigation process. The Judicial Academy has also taken upon itself the mandate to train the public prosecutors/ assistant prosecutors who have a very important role to play alongwith other functionaries in the criminal justice system to ensure that ultimately it is the truth that should triumph in the court of justice.

The Delhi Judicial Academy is committed to strengthening the policy of promoting alternative dispute resolution mechanism and play an important role in ensuring its success by conducting more qualitative programmes in the Academy in the current year. In fulfillment of this objective, the DJA intends to impart qualitative training to referral judges to promote mediation and other alternative dispute resolution mechanism. The intention is to put an end to the pending litigations in the courts to the satisfaction of all the parties to the disputes. Such judicial training programmes would include satisfactory measures and innovative methods which can prevent litigations from coming to the courts.

This year we propose to continue our pursuits of sharing knowledge with the judicial officers for achieving excellence in capacity building, bridging knowledge gaps and sharpening core skills of interpretation generally, and in the specific areas referred to above, particularly. Our endeavour will be to move further ahead in the core areas in these spheres so that there is a progressive improvement in the judicial education and training programmes to meet the challenges. No democratic nation which includes India, can survive and prosper without the active service of the judiciary. Our endeavour shall be to continue to have a judiciary committed to the value of justice, social, economic and cultural for all. The programmes for 2016 are structured accordingly.