

NEWSLETTER

Delhi Judicial Academy

Under the Aegis of



HMJ Satish Chandra Sharma

Chief Justice, High Court of Delhi
and Patron-in-Chief, Delhi Judicial
Academy

HMJ Vibhu Bakhru

Judge, High Court of Delhi and
Chairperson, Judicial Education
and Training Programme
Committee (JETPC)



HMJ Yashwant Varma

Judge, High Court of Delhi and
Member, JETPC

HMJ Rekha Palli

Judge, High Court of Delhi and
Member, JETPC



HMJ Prathiba M. Singh

Judge, High Court of Delhi and
Member, JETPC

**HMJ Anup Jairam
Bhambhani**

Judge, High Court of Delhi and
Member, JETPC



Editorial Board

Dr. Aditi Choudhary

Chairperson Officiating and Director (Academics)
Chief Editor

Mr. Man Mohan Sharma

Director (Administration)
Executive Editor

Dr. Sumedh Kumar Sethi

Additional Director
Editor

Ms. Sadhika Jalan

Joint Director
Editor



Inaugural Issue

The Delhi Judicial Academy envisions strengthening the administration of justice through judicial education, training, research and policy development. It aims at facilitating continuous judicial education and training for enhancing the quality and responsiveness of the justice delivery system.

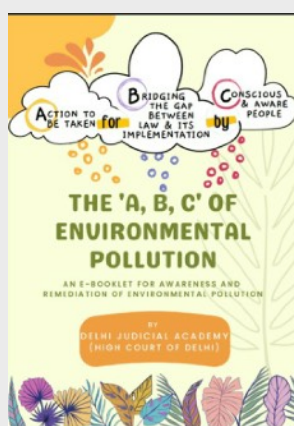
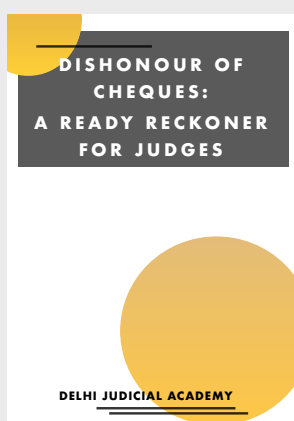
At a time when the Academy has completed 20 glorious years of striving to achieve excellence in judicial education, the quarterly Newsletter gives the Academy an occasion to showcase the training programmes and workshops it has been conducting and the new methodologies and ideas that it is constantly working on to improve the learning and training experience.

The Academy hopes that the Newsletter acts as a conversation starter helping build better trainings for the coming times. Going forward with its resolve of minimising its carbon footprint on the environment, it was deemed appropriate that the newsletter be published and disseminated in an electronic form.

Overview

23 Training Programmes and 6 E-Committee Special Drive Training and Outreach Programmes were organised for judicial officers and other stakeholders of the justice delivery system by the Delhi Judicial Academy in the third quarter of 2022.

Publications



What's New

Enhanced use of technology to widen reach of training programmes and also to make sessions more interactive. Introduction of online quizzes and polling is one such innovation, which has yielded great results.



Conference on Remediation of Environmental Pollution for Protection of Human Rights

A Conference was organised on 10th September, 2022 in collaboration with Delhi State Legal Services Authority, Central Pollution Control Board and Delhi Pollution Control Committee, for judicial officers, police officials, members from the executive, technical experts, resident welfare associations and industrial associations.

It was presided over by Hon'ble Mr. Justice Satish Chandra Sharma, Chief Justice, High Court of Delhi and Patron-in-Chief, Delhi Judicial Academy and Hon'ble Mr. Justice Vibhu Bakhru, Judge, High Court of Delhi and Chairperson, JETPC.

An e-Booklet called "*The A, B, C of Environmental Pollution*" was released on the day of the Conference by Hon'ble the Chief Justice. The e-Booklet was prepared by the Academy with contributions from the other partners of the Conference with the aim of spreading environmental awareness amongst citizens, stressing the need for every person to take positive measures for protection of the environment.

The inaugural session was followed by four technical sessions in the field of air pollution, water pollution, noise pollution and solid waste management. The sessions were each led and chaired by three eminent persons from their respective fields.

In order to reduce the carbon footprint, every effort was made to



(HMJ Sanjeev Sachdeva, Judge, High Court of Delhi, addressing Judges in the session on "IPR in Cyber Space" in the training programme for District Judges (Commercial Court) conducted on 17th September, 2022)

District Judges (Commercial Court)

A one day programme was held for 28 District Judges (Commercial Court) on 17th September, 2022. The programme focused on the interaction between different IPR laws, the key issues and challenges faced in implementation of Trade Mark and Copyright law. Lastly, interlinkages between IPR and IT Act were also probed further.

Social Context Adjudication

The Academy conducted two optional programmes which aimed at sensitising judges *qua* their role in the larger social and constitutional context.

- Sensitisation Programme on Justicing: Balancing Rules, Principles and Social Contexts.
- Sensitisation Programme on Role of Human Rights in the Administration of Justice.

Induction and Orientation Training

Two trainee DJS officers of the Batch of 2021 are still undergoing training in the Academy as they had joined in the month of March, 2022.

Sixteen newly promoted judicial officers to DHJS continued to undergo Court attachment as per orders of the High Court of Delhi.

make the Conference paperless, by making optimum use of technology. E-invites, digital registration of participants through QR Codes, decorations using potted plants instead of cut flowers, insistence on the use of non-plastic recyclable or biodegradable cutlery for catering, dissemination of reading material for the technical sessions online through QR Codes were conscious efforts to function in an environmentally friendly manner.

To take the mandate of remediation further, a *plantation drive* was also initiated by Hon'ble the Chief Justice. Lastly, small Tulsi saplings in earthen pots were given to all guests to take back to their homes as symbolic green pledges, to act as reminders of our commitment to consciously strive towards a cleaner environment.



(Hon'ble the Chief Justice initiating the plantation drive at the Delhi Judicial Academy, on the day of the Environment Conference)

(Dr. Aditi Choudhary, Director (Academics) felicitating Mr. Sumeet Pushkarna, Advocate, Supreme Court of India, resource person for the technical session on "Quenching the Thirst for Clean Water – Legal Regime in Practice" in the presence of Mr. Man Mohan Sharma, Director (Administration), Delhi Judicial Academy.)



MUSIC AS AN EDUCATIONAL TOOL

The Academy has introduced thematic music in its training programmes. The intention behind the initiative is to get participants to start ideating about the subject from a different perspective. It is also a recognition of multiple intelligences and that everyone is motivated to learn differently and to ensure inclusivity in the programmes.

Core Competence and Capacity Building Programmes



(HMJ Chandra Dhari Singh, Judge, High Court of Delhi addressing the Judges and Public Prosecutors on the subject of bail under the NDPS Act)

Eight Programmes aimed at enhancing jurisdiction specific knowledge and skills of judicial officers and capacity building of Public Prosecutors were undertaken. The programmes focused on the key facets concerning day to day working of Courts dealing with specific jurisdictions so as to identify common issues and challenges as well as sharing best practices and deliberating upon latest developments in the concerned fields of law.

At the DHJS level, two core competence conferences on knowledge, skill and perspective development were conducted.

Court of Special Judges (NDPS)

The first programme was held on 15th and 16th July, 2022 for Courts of Special Judges, NDPS and a one day capacity building programme for the respective Prosecutors. Training imparted focused on building a nuanced understanding of the legal framework against drug trafficking, narcotics, investigative process, sections 50 and 55, NDPS Act including issues relating to investigation, trial, bail and sentencing.

Additional Sessions Judges (Electricity) and Additional Sessions Judges (General)

Similarly, on 2nd and 3rd September, 2022, training was held for Additional Sessions Judges and Additional Sessions Judges (Electricity Act) and the Prosecutors of those Courts. Insights were shared on aspects of corporate liability, transnational and multi victim frauds. Balancing the Rights of a Convict and Victim when imposing sentence or determining compensation were discussed. Salient features of the Electricity Act and its interplay with civil laws was focused on. Deliberations were also held on general issues of bail, bias, further investigation, admission–denial and electronic evidence.

At the DJS level, following two programmes were conducted–

Senior Civil Judges, ACJ-cum-CCJ-cum-ARCs and Civil Judges

Two programmes were organised on 29th and 30th July, 2022. Deliberations were held on the interaction between Civil law and Protection of Women from Domestic Violence Act vis-à-vis the Right to Residence. Scope and jurisdiction of issues related to succession, probate and letter of administration were discussed. Time was also devoted to property and contractual disputes as well as execution proceedings. Second programme was built around challenges faced in dealing with Delhi Rent Control Act and in recording and appreciation of evidence.

Chief Metropolitan Magistrates, ACMMs and Magistrates

A programme was conducted for CMMs, ACMMs and Magistrates as well as their respective Prosecutors on 26th August, 2022. It deep dived into problem areas highlighted by the participants including amongst others–protest petitions, incomplete chargesheets, acceptance of closure reports/ untraced reports, applications under Section 156(3) Cr.PC, offences of cheating and forgery, principles for grant of bail and default bail under Section 167 Cr.PC, dealing with proclamation of the accused and victim compensation.

In compliance of the directions of the High Court of Delhi, discussions were also held in each programme on the response of the Court to vulnerable victims/witnesses during trial. The participants were also sensitised about the expanded definition of vulnerable witnesses and jurisdiction specific vulnerabilities that a victim/witness may exhibit.

Convergence Training for Better Implementation of Juvenile Justice Act

On 23rd and 24th September, 2022, two training programmes focusing on coordination, capacity building and development of rights perspectives of Members and Chairperson of the Child Welfare Committees, officers of the Special Juvenile Police Unit, Member Social Workers and Principal Magistrates of all the Juvenile Justice Boards, Children's Court and District Child Protection Units were conducted. Deliberations ranged from understanding child and childhood, age inquiry, preliminary assessment, techniques for interviewing children, counselling techniques, child psychology, rehabilitation and compensation along with other core legal issues specific to this key area.



Programmes Catering to Police Officials

Workshop on Loopholes in Investigation and Legal Implications during Trial

A two day workshop was organised on 4th and 5th July, 2022 for Special Executive Magistrates and Additional Commissioners of Police. The Workshop focused on NDPS Act, 1985, MCOCA, National Security Act, SC & ST (Prevention of Atrocities) Act, 1989 as well as aspects ranging from banking fraud and cheating to conducting inquiry under the relevant provisions of Cr.PC. Methodologies such as mock trial were adopted in the sessions.

'On Conducting Inquiry' - Special Executive Magistrates

In collaboration with DSLSA, a three day training programme was conducted from 22nd to 24th August, 2022 in compliance of the judgment of the Delhi High Court in *Aldanish Rein v. State of NCT of Delhi and Anr.*, W.P. (CrI). No. 2039 of 2018 dated 01.11.2018. The SEMs were trained on the constitutional requirements of their roles. Detailed discussions were held on the implementation of Section 107, Cr.PC and Section 151, Cr.PC. Also, mock order writing sessions were held.

Refresher Course for Additional Public Prosecutors

On the request of the Directorate of Prosecution, a two-week training programme through online mode using CISCO WebEx Platform, was imparted to 30 Senior/ Additional Public Prosecutors as prescribed in the fresh Recruitment Rules from September 5th to 17th, 2022.

The training focused on basics of criminal courts as well as specialised issues such as offences triable by Sessions Courts under POCSO Act, NDPS Act, Prevention of Corruption Act and Cyber Crimes. Procedural aspects such as scrutiny of the police report, cognizance, charge, confessions, dying declarations and recording of evidence etc, were covered. Discussions were also held on response to vulnerable witnesses during trial and on the aspect of mental health.

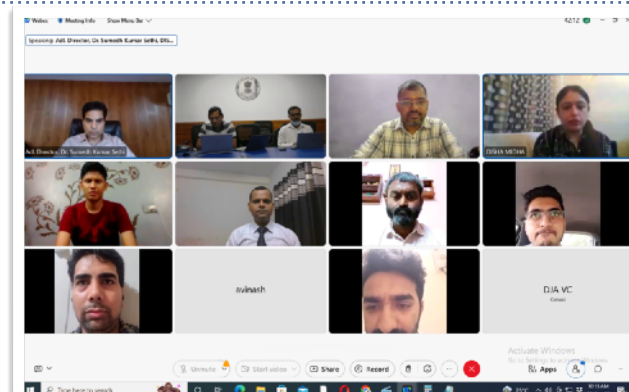


Training for Special Courts (NI Act)

In compliance of the directions passed by the Hon'ble Supreme Court in Suo Moto Writ (Criminal) No. 2 of 2020 titled *In Re. Expeditious Trial of Case under Section 138 NI Act, 1881*, a four weeks training programme was conducted through online mode using the CISCO WebEx Platform for the judges who had been appointed to head Special Courts (NI Act) established for the purpose of a pilot study. The training was conducted from 3rd to 31st August, 2022.

The training did a deep dive into understanding the basics of law relating to dishonour of cheques. Penal consequences of dishonour, parties to the complaint, summoning and appearance of the accused, serving substance of the accusation to the accused and other different stages of trial of cases under the NI Act were discussed. The participants were also made aware of the rules relating to functioning of the Digital NI Courts, practice directions relating to Courts dealing with NI Act and rules and directions relating to vulnerable witnesses. Emphasis was also placed on enhancing core judicial skills such as order writing, judgment writing, using ADR as an effective tool for disposal of cases, docket and court management.

ECT Programmes



As a part of the ongoing E-Committee Special Drive Training and Outreach Programmes, Supreme Court of India, two programmes were conducted every month. The programmes covered different facets of use of Information Technology in Courts involving deliberation over a wide array of topics including not only core CIS and Ubuntu related issues but also other emerging aspects of use of ICT in courts such as e-filing, ICJS, digitisation, networks, servers, computer operating systems, software, hardware and video-conferencing/hybrid hearing. The Video Conferencing Rules as notified by the High Court of Delhi, relevant E-Filing Rules as well as E-Waste Management Rules were also covered. It was ensured that hands-on training was imparted to the new judicial officers to make them familiar with actual working of applications being used in Courts.

JULY

ECT_16_2022: E-courts Programme at All-District Headquarters was conducted for all judicial officers at respective Districts through the Academy.

ECT_18_2022: ICT & eCourts Induction Programme for the newly recruited directly recruited District Judges was conducted at the Academy.

AUGUST

ECT_4_2022: Advocate / Advocate Clerk E-courts Programme was conducted by the Academy virtually.

ECT_7_2022: Advocate / Advocate Clerk E-courts Programme at Taluk / Village level was conducted at respective Districts through the Academy.

SEPTEMBER

ECT_13_2022: Computer Skill Enhancement Programme-Level I and II was conducted for judicial officers of District Judiciary (All Cadre) at respective Districts through Academy.

ECT_15_2022: Refresher Programme for Registry Staffs of High Courts was conducted by the Academy virtually.

Strengthening Response to Mental Health

An Orientation Course on Mental Health was held on 27th August, 2022. It touched upon a range of issues such as understanding mental health, dealing with persons of unsound mind at the time of inquiry and trial, forensic mental health, finer nuances of Mental Healthcare Act, 2017, occupational stress and overcoming compassion fatigue.

(Mr. Rajshekhar Rao, Senior Advocate sharing his insights on how persons with intellectual disability are to be dealt with by Magistrates in the judicial process.)



Valedictory Function of the Induction Trainees, Batch 2021



HMJ Satish Chandra Sharma, Chief Justice, High Court of Delhi and Patron-in-Chief, Delhi Judicial Academy addressing the trainee officers on the occasion of the Valedictory Function held in the High Court of Delhi on 8th July, 2022.



HMJ Vibhu Bakhru, Judge, High Court of Delhi and Chairperson, JETPC felicitating Hon'ble the Chief Justice.



Hon'ble the Chief Justice, HMJ Anup Jairam Bhambhani, Judge, High Court of Delhi and Member, JETPC, and HMJ Vibhu Bakhru awarding Completion Certificates to the Trainee Officers.



Experiential Training of Judicial Officers from Tripura and Assam

A four-day training programme for the Judges from Assam from 12th to 15th September, 2022 and a three day training programme for judicial officers from Tripura from 11th to 13th September, 2022 was conducted. A joint programme was conducted on issues of execution and digital and electronic evidence. Officers also visited the Supreme Court of India where they interacted with Hon'ble Mr. Justice Hrishikesh Roy. They visited various District Court Complexes including visits to Delhi State Legal Services Authority, Family Courts and Mediation Centre, Dwarka and Vulnerable Witness Deposition Complex, Saket. A visit to the Juvenile Justice Board-I, Sewa Kutir, Kingsway Camp and Children's Home was also organised, where the officers interacted with the Principal Magistrate concerned. For better comprehension of the functioning of the jail administration and procedure, a visit was also organised to Tihar Jail, New Delhi. The officers also observed the procedure for grant of legal aid to under trial prisoners. Interactions were also facilitated with District and Sessions Judges and other judicial officers of Delhi to enhance their capacity and sensitivity.



(Hon'ble Mr. Justice Hrishikesh Roy, Judge, Supreme Court of India meeting the judicial officers from Assam and Tripura, in the Supreme Court of India)

Independence Day Celebrations



To celebrate India's 75th Independence Day, Azadi ka Amrit Mahotsav Painting Competition was organised for children of the Staff. Prize Distribution Ceremony was held on Independence Day.