

NEWSLETTER

Delhi Judicial Academy

Under the Aegis of



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Conference of Policy Makers and Implementers at District Court Level for Strengthening District Courts and Capacity Building

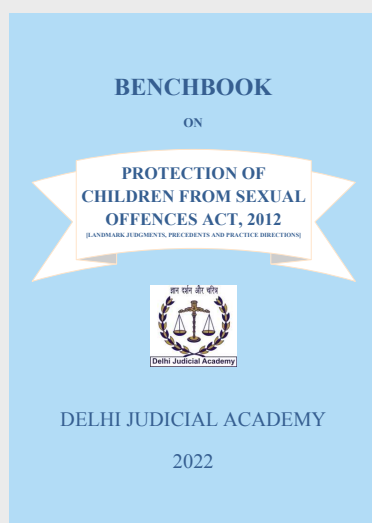
The Delhi Judicial Academy facilitated a discussion between all the Principal District and Sessions Judges, Registrar General, Registrar (Vigilance), Principal Judges (Family Courts), Principal Secretary (Law and Justice), Government of NCT of Delhi, Member Secretary, Delhi State Legal Services Authority and Judges-in-Charge, Mediation Centres.

Several administrative issues and challenges faced by different districts whether that be in formation of administrative committees, conducting purchases and making duty rosters were flagged and discussed. Maintaining synergy *inter se* the Principal District and Sessions Judges as well as with judicial officers, High Court, Bar and other stakeholders was dealt with. Improving public interface with the judicial system was also deliberated upon. The Citizen's Charter, making the Court system accessible and responsive and improving the grievance redressal mechanism were some of the points discussed and best practices were shared.

Overview

17 Training Programmes, of which 5 programmes were conducted through video conferencing and 4 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 fourth quarter of 2022.

Publications



Sustained Focus on Rights of Children

Ms. Jyoti Kler, Additional Director represented the Delhi Judicial Academy in the National Annual Stakeholders Consultation on Child Protection under the aegis of the Supreme Court Committee on Juvenile Justice which was held on 10th & 11th December, 2022.



Refresher Programme on Cyber Laws and Appreciation and Handling of Digital Evidence

As per the mandate given by the e-Committee, Supreme Court of India, one of the Special Drive Training and Outreach Programmes organised by the Academy all through the year, was conducted on various aspects of Cyber Laws. This programme also catered to the interface between law and technology, which had as its attendees judicial officers from amongst all cadres.

It covered issues related to civil and criminal law as it is applicable in cyberspace and also encouraged deliberation on issues related to digital evidence, cyberspace jurisdiction and liability of intermediaries.

A session was also undertaken on the ever-changing landscape of cyber offences and disputes including within its ambit cyber stalking, cyber porn, data theft, online financial fraud, cyber-squatting, phishing, hacking, ransomware, crypto currency etc.



(Above) Training Sessions on Cyber Laws were held in the Auditorium of the Delhi Judicial Academy.

Other ECT Programmes

As a part of the ongoing e-Committee Special Drive Training and Outreach Programmes, Supreme Court of India, programmes were conducted every month.

ECT-11

Programme for Technical Staff of District Courts Hardware & Software maintenance, data replication, data monitoring, VC equipment, LAN Connections, etc. was conducted at the Academy virtually on 16th December, 2022. The programme focussed on honing the skills and knowledge base of officials having technical expertise in Court Hardware and Software and thus, the resource persons also comprised of technical experts having in-depth knowledge of the topics.

ECT-12

Computer Skill Enhancement Programme Level I & II was organised in October 2022 for Advocates and Advocate Clerks. The programmes were conducted at the various District Courts of Delhi through the Academy and covered a wide array of subjects pertinent to the members of the Bar such as Electronic Case Management Tools including the e-Courts Portal and application. Basics of hardware and software used for drafting and scanning were also discussed. e-Filing and videoconferencing along with the respective applicable Rules were also covered.

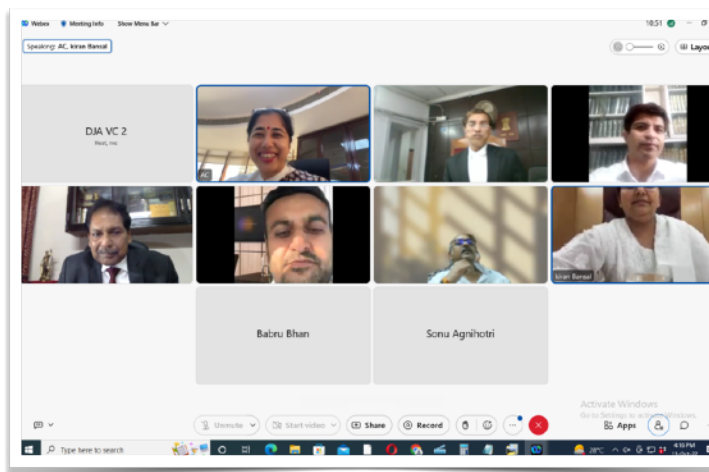
ECT-17

ICT and eCourts Induction Programme for the newly recruited Civil Judges was conducted by the Academy virtually from 12th to 15th December, 2022. The programme involved threadbare discussion on the use of technology in Courts such as document writing applications, video-conferencing applications, PDF tools etc. The participants deliberated upon the basics of CIS, UBUNTU operating system, JustIS application, Sandes application, e-Filing, NSTEP, National Judicial Data Grid and Justice Clock.

Disposal of Criminal Cases by Resorting to Triple Method of Plea Bargaining, Compounding and Probation

In compliance of the directions passed by the Supreme Court in *In Re: Policy Strategy for Grant of Bail, Sua Moto Writ Petition (Crl.) No. 4/2021* dated 14th September, 2022, 2 four-day virtual programmes were conducted for DHJS and DJS officers respectively, who were manning the pilot courts. Further, 2 two-day programmes were also organised for their respective link Courts and plea-bargaining roster magistrates.

This training focused on the overview and evolution of plea bargaining, compounding and Probation of Offenders Act, 1958. Powers and procedures to be followed by the Court were discussed at length, coupled with relevant order writing.



Core Competence Conferences on Knowledge, Skill and Perspective Development

Three programmes aimed at enhancing jurisdiction specific knowledge and skills of judicial officers were conducted in this quarter. Two of these programmes were combined with other stakeholders for capacity building of all concerned and more holistic deliberations. The programmes focused on 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. All programmes conducted were for officers of Delhi Higher Judicial Services.

Presiding Officers (MACT), Police Officers, Nodal Officer of Insurer, Judge In Charge (Mediation), Secretaries, District Legal Services Authorities

On 15th October, 2022, training was held for the above mentioned officers as per directions passed by the Supreme Court in *Bajaj Allianz General Insurance Company Private Limited v. Union of India*, Writ Petition (Civil) No. 534/2020, order dated 16.11.2021. Training focused on conceptual issues of negligence, *res ipsa loquitur* and contributory negligence. General principles of compensation and liability under Motor Vehicles Act was discussed. Lastly, role of mediation and legal aid were highlighted along with an understanding of the insurer's perspective also.

Additional District Judges (LAC & Probate)

A two day programme was held on 28th and 29th October, 2022 for Additional District Judges (LAC & Probate). Training imparted focused on the scope and jurisdiction of Probate and Letters of Administration. Execution of the judgments, decrees and orders under Order XXI CPC were dealt in detail. The programme also covered Land Acquisition Act, 1894 and the right to fair compensation & transparency in Land Acquisition, Rehabilitation & Resettlement Act, 2013. Lastly, newer technological avenues such as Artificial Intelligence and its potential use in the future was introduced.



Presiding Officers of Industrial Tribunals and Labour Courts



Presiding Officers of Industrial Tribunals and Labour Courts were called for a two day training programme on 4th and 5th November, 2022. The programme covered the social and historical framework of labour laws as well as the power of Labour Courts. Discussions were also held on the legislative framework and the new Labour code. There were deliberations on the issues of law, practice and procedure under the Industrial Disputes Act, 1947 as well as recovery of money due from employer under Section 33C, Industrial Disputes Act, 1947.

MAKING COURT ROOM PRACTICES RESPONSIVE TOWARDS VULNERABLE WITNESSES

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 sensitised about the expanded definition of vulnerable witnesses and jurisdiction specific vulnerabilities that a victim/witness may exhibit.

Refresher Programme for District Judges (Commercial Court)



A one day workshop was organised on 3rd December, 2022 for all District Judges (Commercial Court). In the first two sessions, as per schedule, provisions of Arbitration and Conciliation Act, 1996 were discussed wherein issues of jurisdiction, interim relief and enforcement were covered. The sessions were chaired by Hon'ble Mr. Justice Vibhu Bakhru, Judge, High Court of Delhi and Chairperson, JETPC and Mr. Ciccu Mukhopadhaya, Senior Advocate.

In the remaining sessions, issues of trial and procedure under the Commercial Courts Act, 2015, the tools required for expeditious disposal of cases and issues pertaining to cross border disputes, standard-form contracts, landlord-tenant disputes, force *majeure* and collaboration agreements were deliberated upon.

Wildlife Trafficking, Animal Rights and Environmental Justice

A one day workshop was conducted on 2nd December, 2022 on Wildlife Trafficking, Animal Rights and Environmental Justice for a mixed group of Delhi Higher Judicial Service and Delhi Judicial Service Officers. The workshop delved into understanding the fundamentals of wildlife crime, forms and types of trafficking as well as its convergence with other crimes. The impact of the pandemic, new emerging forms of wildlife crime and the national and global perspective of the growing illegal wildlife trade also found mention. Speakers also discussed in depth the working of poachers, traders and forest department. Mr. Ritwick Dutta and Mr. Saurabh Sharma, two renowned environmental lawyers discussed the legal framework and the issues around the laws. The workshop concluded with a documentary which showcased trafficking in wildlife and immediate need to act to protect all life from mass extinction.



(Above) The Wildlife Crime Control Bureau displayed contraband to explain as to why and for what body parts, animals and plants are trafficked. They explained in detail each contraband displayed and also as to how to identify the different types of wildlife contraband.

USE OF EXHIBITS AS AN EDUCATIONAL TOOL

It is said that use of visuals is more effective as a pedagogical tool than just words. The human brain processes visual content 60,000 times faster than text. It was for this reason that an exhibit of the contraband material was sought, so that the enormity of the issue at hand could be communicated visually to the participants.

Fortifying Child Rights

A sensitisation programme for ensuring sensitive handling of cases relating to Sexual Offences against Children was conducted for Additional Sessions Judges (POCSO), Additional Sessions Judges (Fast Track Courts) (POCSO), Public Prosecutors, Police Officials and Support Persons. The programme focused on the dynamics of Child Sexual Abuse, assessing the capacity of the child



and strategies to have child-friendly conversations in a Courtroom setting. Emphasis was also laid on encouraging child friendly procedures at the time of medical examination, bail, recording of statements etc. Lastly, therapeutic and social interventions including the aspects of compensation and rehabilitation were discussed.

Training District Court Staff



Court functioning can be improved if all stakeholders in the justice delivery system are trained. With this in mind and as per directions passed by the Supreme Court of India in *Rahul S. Shah v. Jinendra Kumar Gandhi & Ors.*, Civil Appeal No. 1659-1660/2021, SPA No. 7965-7966/2020 dated 22.04.2021, the Academy held two programmes for training of the Bailiffs, Incharges of Nazarat Branches and Nazirs of all the District Courts.



The aim of the programme was to comprehensively break down and brainstorm on the topic of execution of decrees in civil procedure.

Training was conducted on the aspect of execution of warrants, carrying out attachment and sale, delving further into which properties can and cannot be attached, warrants of possession and arrest, preparing reports and other official duties for executing orders of the Executing Courts. Queries of the participants were also addressed.

Reflective Training (Batch of 2019)

Two Reflective Training programmes for the June and July 2019 batches of Delhi Judicial Services were organised to assess the impact of learning during the one-year induction training. Discussions revolved around Court management, Case management, Court Administration and Infrastructure related issues, relationship between the Bar and the Bench, dealing with staff and litigants, as well as other aspects of Court functioning. A documentary titled "All Rise for Your Honour" was also shown to the participants highlighting the issues plaguing the judicial system and the perceptions of the common man. The programme also served as a robust platform for the Academy to get a feedback about the training modules used and the correctional steps which can be taken for the future for making induction training more pertinent and effective.



(Above) Reflective Trainings held in the Club House of the Delhi Judicial Academy.

Training Programme for Narcotics Control Bureau

Two days online training programme for 78 Special Public Prosecutors of Narcotics Control Bureau and other agencies such as DRI, Customs and NIA was conducted on 20th and 21st December, 2022. The programme covered issues pertaining to drugs, illicit trafficking and the legislative framework. Focus was also placed upon detection of the offence, seizure of drugs and other procedural safeguards to be kept in mind during investigation and trial. Reasons for acquittal, examination of witnesses, recording statement of the accused and drafting of petitions and applications were deliberated upon.

Induction Course and Orientation Training

Two trainee Delhi Judicial Service Officers of the batch of 2021 are still undergoing training in the Academy. In this quarter, they had attachment at the High Court of Delhi, residential training at the Delhi Police Academy, court attachments as well as institutional training.

Sixteen newly promoted judicial officers of Delhi Higher Judicial Service continued to undergo Court attachment as per order of the High Court till mid-November.

Launching of the Inaugural Issue of the Newsletter



HMJ Vibhu Bakhru, Judge, High Court of Delhi and Chairperson, JETPC launching the inaugural issue of the Newsletter.

Environmental Awareness and Stress Management Retreats

Two retreats were organised in this quarter. A mixed group of DHJS and DJS officers went to Chail, Himachal Pradesh from 7th-9th October, 2022 and to Udaipur, Rajasthan from 9th-11th December, 2022).

