



NEWSLETTER

DELHI JUDICIAL ACADEMY

Under the Aegis of



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

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Hon'ble Mr. Justice Manmohan, the Acting Chief Justice, High Court of Delhi and Patron-in-Chief, Delhi Judicial Academy delivering the special address in the Inaugural Programme of the International Judicial Conclave on IPR held on 15th March, 2024.

INTERNATIONAL JUDICIAL CONCLAVE ON INTELLECTUAL PROPERTY RIGHTS

Ideas demand discussion, debates and deliberations. Conclaves are an effective platform for exploration, evocation and expression of ideas. One such event was the International Judicial Conclave on IPR organised under the aegis of High Court of Delhi by the Delhi Judicial Academy in collaboration with the United States Department of Justice and the United States Patent and Trademark Office on 16th and 17th March, 2024 in the premises of High Court of Delhi. The two days of the Conclave were packed with impactful discussions and deliberations by Indian and international delegates (including judges) from various countries - the United States of America, Bangladesh, Sri Lanka, Nepal and Maldives. The panel of speakers included Hon'ble Ms. Justice Hima Kohli Judge Supreme Court of India, Hon'ble Mr. Justice K.V. Viswanathan Judge Supreme Court of India and Hon'ble Mr. Justice S. Ravindra Bhat Former Judge Supreme Court of India besides other distinguished speakers. The other dignitaries who graced the occasion with their benign presence were Hon'ble Judges from the High Courts of Kolkata, Kerala, Uttarakhand and Delhi, Senior Advocates from the Bar, officials from the United States Department of Justice and the United States Patent and Trademark Office and academicians from Delhi University and National Law University, Delhi.



Hon'ble Mr. Justice Yashwant Varma delivering the welcome address in the Inaugural Programme of the International Judicial Conclave on IPR held on 15th March 2024.



Dr. Aditi Choudhary, Director (Academics)/Chairperson (Officiating), Delhi Judicial Academy welcoming the resource persons and the participants on 16th March, 2024.

Day one entailed five working sessions alongwith an IP Primer Workshop for District Judges presiding over Commercial Courts. Working session one had the pivotal theme of interplay between IPR and generative AI (artificial intelligence). One of the central themes of the session was the question of ownership surrounding artistic works generated by AI. Participants explored the implications of AI's ability to autonomously create original content, raising questions about who should hold the copyright to such works. Discussions delved into whether AI systems should be considered as mere tools of human creators or autonomous entities deserving of their own a legal status. The session also delved into the liability implications of AI-generated content, particularly in cases of infringement. Key topics included the allocation of liability among AI developers, users, and AI itself, as well as the legal standards for determining culpability in cases of AI-generated infringement. Another focal point of the session was the difficulty of valuing machine-generated original works. Participants examined the methods and frameworks for assessing the economic value of AI-generated content, considering factors such as uniqueness, market demand, and the role of human input in the creative process. The session concluded with reflections on the future directions of IPR law in the age of generative AI. The session underscored the need for adaptive legal frameworks that balance innovation and protection, ensuring that intellectual property rights remain relevant and effective in an increasingly AI-driven world.



Hon'ble Ms. Justice Hima Kohli, Judge Supreme Court of India and Hon'ble Mr. Justice Yashwant Varma, Judge, High Court of Delhi and Chairperson, JETPC addressing the participants on Protecting and Enforcing IP in New Digital Ecosystems.



Panelist addressing the participants during the first working session on Protecting and Enforcing IP in New Digital Ecosystems.

Session two delved into the evolving frontiers of trademarks. A significant aspect of the session was the discussion on the recognition of non-traditional trademarks, which go beyond the conventional word marks and logos. The session delved into the criteria for registrability and the challenges associated with protecting non-traditional trademarks in diverse jurisdictions. The session also explored the expanding presence of trademarks in the digital sphere, encompassing social media platforms, e-commerce websites, and virtual communities.



Hon'ble Mr. Justice K.V. Viswanathan, Judge Supreme Court of India, Hon'ble Mr. Justice Anish Dayal, Judge, High Court of Delhi and other distinguished panellists addressing the participants on the New Frontiers of Trademark Law.

Strategies for enforcing trademark rights and combating infringement in the digital realm were analyzed, highlighting the importance of proactive monitoring and enforcement measures. Throughout the session, participants examined recent innovations in trademark law, including developments in jurisprudence and legislative reforms aimed at addressing new challenges and opportunities. Discussions also explored the role of trademark law in promoting innovation and consumer welfare, balancing the interests of brand owners with the principles of fair competition and consumer choice. A highlight of the session was a panel discussion on gesture marks, exploring the concept of trademark protection for distinctive gestures associated with individuals or brands. Examples such as Shahrukh Khan's iconic open arm gesture and Gene Simmons' rock gesture made the debate lively. The session concluded with reflections on the evolving landscape of trademark law and the need for continuous adaptation to technological advancements and changing consumer behaviors.

The third working session on "Case Study on Digital Piracy" offered a detailed examination of the challenges posed by digital piracy in today's interconnected world. The session began by providing participants with a comprehensive understanding of digital piracy, including its various forms such as illegal downloading, streaming, file-sharing and counterfeit sales. Throughout the session, participants delved into case studies and real-world examples of digital piracy, drawn from diverse industries such as music, film, television, publication, and software. Case studies highlighted the strategies employed by pirates to circumvent copyright protection measures and distribute infringing content on a massive scale. The session also explored the legal and regulatory frameworks governing digital piracy. The session examined the role of copyright law, digital rights management (DRM) technologies, and anti-piracy legislation in deterring and penalizing online infringement. Discussions focused on the challenges of enforcing copyright law in cyberspace, including jurisdictional issues, cross-border enforcement, and the limitations of traditional legal mechanisms in addressing online piracy. Participants discussed the role of digital fingerprinting, watermarking, content identification algorithms, and other technological tools in detecting and mitigating online infringement. The session emphasized the importance of educational and awareness initiatives in addressing digital piracy. Participants discussed the role of public education campaigns, industry outreach programs and consumer awareness initiatives in fostering a culture of respect for intellectual property rights and promoting legal alternatives to piracy. Participants identified opportunities for collaboration among stakeholders, including rights holders, governments, technology companies, and civil society organizations, to develop holistic strategies for tackling online infringement and safeguarding intellectual property rights in the digital age.



Hon'ble Mr. Justice C. Hari Shankar, Judge High Court of Delhi and other distinguished panellists addressing the participants on Standard Essential Patent (SEP) Litigation.

The fourth session began with an overview of Standard-Essential Patents (SEP), which are patents essential to implementing a technical standard set by a Standard-Setting Organization (SSO). Participants delved into the unique challenges posed by SEP litigation, including issues related to patent exhaustion, Fair, Reasonable and Non-Discriminatory (FRAND) licensing terms, and the potential for hold-up and royalty stacking. The session featured case studies and analysed legal precedents from jurisdictions around the world, illustrating the diverse approaches taken by courts and regulatory bodies in addressing SEP disputes. The session highlighted the importance of developing a comprehensive litigation strategy that takes into account the unique legal, technical and commercial aspects of SEP disputes. The session provided insights into international perspectives on SEP litigation, with discussions on the evolving legal frameworks and jurisprudence in key jurisdictions such as the United States, Europe, and Asia. Participants exchanged strategies for effective case management, expert testimony preparation and cross-border enforcement of SEP rights. The session emphasized the importance of collaboration among legal counsel, technical experts and business stakeholders in achieving favorable outcomes in SEP disputes.

The last session of day one began with an examination of the complexities involved in enforcing intellectual property rights across international borders. The session explored the legal and practical challenges of cross-border enforcement, including jurisdictional issues, differences in legal systems and procedures, and the need for international cooperation and coordination among law enforcement agencies. Participants delved into the international legal frameworks governing cross-border IP enforcement, including treaties, conventions and agreements aimed at harmonizing intellectual property laws and facilitating cooperation among countries. Discussions focused on key instruments such as the TRIPS Agreement, WIPO treaties, and regional agreements, analyzing their impact on cross-border enforcement efforts. The session highlighted the role of criminal remedies in deterring and combating intellectual property infringement. Case studies and examples of successful prosecutions provided insights into the effectiveness of criminal remedies in addressing IP infringement. The last session was followed by IP Primer Workshop for District Judges (Commercial Court) wherein the topics for discussion mainly were territorial jurisdiction in cyberspace, compliance of section 12A of The Commercial Courts Act, 2015, liability of intermediaries, design and product passing off and digital piracy and online counterfeiting in the Indian context.

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Hon'ble Mr. Justice Chandra Dhari Singh, Judge High Court of Delhi and other distinguished panellists addressing the participants on Cross Border IP Enforcement and



Hon'ble Mr. Justice Dharmesh Sharma addressing the District Judges (Commercial Court) during the IP Primer Workshop.

Further, discussions covered issues such as evidence collection, extradition procedures, language barriers and cultural differences, highlighting the importance of strategic planning and collaboration with local authorities and legal experts. The session underscored the critical role of international cooperation and collaboration in cross-border IP enforcement efforts. Case studies of successful collaborative initiatives, such as joint task forces and information-sharing networks, demonstrated the value of coordinated efforts in combating transnational IP crime. Participants discussed emerging trends and future directions in cross-border IP enforcement, including the growing importance of digital evidence and cybercrime investigations, the impact of emerging technologies such as blockchain and artificial intelligence on enforcement strategies, and the need for continuous adaptation to evolving threats and challenges in the global IP landscape.



Hon'ble Mr. Justice S. Ravindra Bhat, Judge (Retd.), Supreme Court of India addressing the participants on Digital Piracy and Online Counterfeiting in the New Age.

The second day also comprised five working sessions covering themes of metaverse, digital piracy, trade secrets, breach of confidentiality, international experiences on criminal remedies for trade secret offences and best practices across the globe, to name a few. The working session on Combatting Digital Piracy and Online Counterfeiting served as a platform for participants to discuss and strategize effective measures to address the rampant issues of digital piracy and online counterfeiting, which is posing significant challenges to creators. Discussions centered on the legal and regulatory frameworks governing digital piracy and online counterfeiting, both at the national and international levels. The evolution of legal frameworks concerning dynamic injunctions in India exemplifies the legal system's adaptability to advancements in technology. During discussions, panellists highlighted the UTV judgment delivered by the High Court of Delhi, which addressed the challenge of rogue websites by establishing criteria to ensure that dynamic injunctions are targeted specifically at infringing websites or their content. It was highlighted that the Government of Nepal aims to enact a new law to strengthen the protection of IPR. It was further discussed that Intermediary liability plays a crucial role in addressing digital piracy issues. It was noted that Indian courts have issued landmark rulings on intermediary liability.



Hon'ble Mr. Justice S. Ravindra Bhat, Former Judge, Supreme Court of India, Hon'ble Mr. Justice Manoj Mishra, the Acting Chief Justice, High Court of Delhi and Hon'ble Mr. Justice Rajiv Shakdher, Judge, High Court of Delhi along with other panellists

The second session on Trade Secrets and Breach of Confidentiality commenced with an exploration of trade secrets, their significance to businesses and the legal frameworks governing their protection. Discussions centered on the challenges and risks associated with breach of confidentiality and trade secret misappropriation. The session highlighted legal remedies and enforcement mechanisms available to businesses in cases of trade secret misappropriation and breach of confidentiality. Discussions covered strategies for identifying and classifying sensitive information, implementing robust confidentiality policies and procedures, conducting employee training and awareness programs, and implementing technological safeguards such as encryption and access controls. The session concluded with reflections on the importance of continuous vigilance, innovation, and collaboration for adapting to evolving threats and challenges in the protection of confidential information and trade secrets.



Hon'ble Ms. Justice Moushumi Bhattacharya, Judge Calcutta High Court and other distinguished panellists addressing the participants on Trade Secrets and Breach of Confidentiality.



Hon'ble Mr. Justice Vipin Sanghi, Former Chief Justice, Uttarakhand High Court, Hon'ble Mr. Justice Manmohan Singh, Former Judge, Delhi High Court and other distinguished panellists addressing the participants on Current issues and Future Trends in Industrial Design.

The last session commenced with an overview of industrial design protection, highlighting its importance in fostering innovation, promoting creativity, and enhancing the competitiveness of businesses. Discussions centered on current issues and challenges facing industrial design protection, including the complexities of design patent prosecution and enforcement, and the need for harmonization and modernization of design laws and regulations. The session provided insights into emerging trends and future directions in industrial design protection, including the impact of technological advancements, such as 3D printing, digital modeling and virtual reality, on the design process and intellectual property rights. Participants explored the role of design automation, artificial intelligence and machine learning in enhancing design creativity, efficiency, and sustainability, as well as the potential implications of design protection and enforcement. Discussions covered topics such as design registration strategies, design search and examination procedures, design infringement litigation tactics and alternative dispute resolution mechanisms. Discussions also focused on the importance of fostering a culture of respect for intellectual property rights, promoting design education and awareness, and encouraging design-driven innovation and entrepreneurship.

This Conclave erected the edifice of dynamic notions upon which the super-structure of a new legal regime can well be constructed in order to create a modern method that acts in consonance with the advancements of the 21st century. There were ideas that metamorphosed mindsets and there were potent suggestions that had the potential to bring about an overhaul. While this Conclave was a triggering point for the confluence of experiences and ideas, there is a long way to go in transforming those thoughts into action. It will be suffice to say that more such events will pave fertile ground for sowing seeds of change that ultimately germinate into new legal ecosystems that are not only more sustainable but also in fact more suitable to the increasingly convoluted and sophisticated technological era which we now live in.



Hon'ble Mr. Justice Yashwant Varma delivering the Vote of Thanks on 17th March, 2024



Hon'ble Mr. Justice K.V. Viswanathan, Judge Supreme Court of India and Hon'ble Mr. Justice Anish Dayal, Judge, High Court of Delhi with other distinguished speakers



Receiving Hon'ble dignitaries



Members of the Organising Committee, including Hon'ble Judges of the High Court of Delhi, members of the Registry and Faculty members of the Delhi Judicial Academy.



Glimpse of participants attending the Conclave

SENSITIZATION PROGRAMME ON THE IMPORTANCE AND UTILIZATION OF VULNERABLE WITNESS DEPOSITION COMPLEX

Sensitization Programme on importance and utilisation of VWDC was held for officers of Delhi Judicial Services and Delhi Higher Judicial Services on 13th January, 2024 and 10th February, 2024 respectively in compliance of directions of Supreme Court of India given in *Smruti Tukaram Badade v. State of Maharashtra & Anr*; (2019) SCC OnLine SC 78. Hon'ble Ms. Justice Gita Mittal, Former Chief Justice, Jammu and Kashmir High Court and Chairman of VWDC focussed on the conceptualization, establishment, and working of VWDCs in the court complexes. The object behind setting up of VWDCs was discussed to ensure that vulnerable witnesses are not subjected to re-traumatization while deposing before the court. Conduct of proceedings in VWDCs ensure that a vulnerable witness is not brought in contact with the accused while recording the testimony, while at the same time ensuring that the right to have fair trial is secured to the accused. The session further focussed on elaboration

of the manner in which court proceedings are conducted in VWDCs, The session highlighted that the main courtroom has a dais which is relatively lower in height than that placed in the ordinary courtroom setup and that the questions put by the counsel are communicated through the court to the support person present with the vulnerable witness in a designated deposition room. The answers given by the witness are then heard by the court and the accused through speakers installed in the courtroom and those installed in the room where the accused is seated. It was also emphasised that the room where the accused is seated needs to have a one-way looking glass screen through which the accused can clearly view the court proceedings. Having a separate room for the accused ensures minimal contact between the accused and the witness. It was demonstrated that how with the basic and cost-effective technological paraphernalia, a simple courtroom can be converted to a VWDC.



Hon'ble Ms. Justice Gita Mittal, Former Chief Justice, Jammu and Kashmir High Court and Chairman of VWDC addressing the officers of Delhi Judicial Service on the importance and utilisation of Vulnerable Witness Deposition Complex.



Hon'ble Ms. Justice Gita Mittal addressing the officers of Delhi Higher Judicial Service on the importance and utilisation of Vulnerable Witness Deposition Complex.



Officers of Delhi Higher Judicial Service attending the programme on the importance and utilisation of Vulnerable Witness Deposition Complex.

Overview

A total of 25 training programmes were conducted by the Delhi Judicial Academy from January to March 2024. Of the total 25 programmes, 15 programmes were organised for judicial officers and 10 programmes were held for other stakeholders of the justice delivery system by the Delhi Judicial Academy. An Environmental Awareness and Stress Management Retreat to Mount Abu, Nakki Lake and Delwara temple, Rajasthan was also organised by the Academy in this quarter, for judicial officers from 29th March to 31st March 2024.

FORTIFYING CHILD RIGHTS AND STRENGTHENING THE JUVENILE JUSTICE SYSTEM

A three days' Orientation Course on implementation of section 15 of The Juvenile Justice (Care and Protection of Children) Act, 2015 was organised by Delhi Judicial Academy in collaboration with SAMVAD–NIMHANS from 22nd to 24th February, 2024. The programme was organised for Principal Magistrates, JJBs, Children's Courts and Public Prosecutors attached to such courts. The prefatory session focussed on the importance of applying the guiding principles of The Juvenile Justice Act with regard to the child in conflict with law such as presumption of innocence, best interest of the child etc. The same was followed by a discussion on the historical context of the Juvenile Justice Act and the international legal developments in the field and impact thereof on the evolution of the Juvenile Justice System in India. The nuances of the Act such as classification of offences therein, power and functions of the Juvenile Justice Board, age determination and rehabilitative framework of the Juvenile Justice Act were also deliberated upon.

The training programme was interspersed with screening of a movie, *Capernaum* which opened up new perspectives for the participants and helped them to grasp the various subtleties of childhood. Vulnerabilities of a child in conflict with law and conceptual dilemmas and challenges in the implementation of the Act were also delved into. Comparison was drawn between provisions relating to bail in the Juvenile Justice Act and those enunciated in The Code of Criminal Procedure in one of the sessions. Psychosocial and mental health assessment of child in conflict with law were also stressed upon and deliberations were held on the methods of such assessment. Various relevant pronouncements such as, *Barun Chandra Thakur v. Master Bholu and Anr.* 2022 SCC OnLine SC 870, *Subramaniam Swamy and Ors. v. Raju Through Juvenile Justice Board and Anr.* (2014) 8 SCC 390 and *Salil Bali v. UOI and Anr.* (2013) 7 SCC 705 were discussed throughout the course of the three days' programme.



Mr. Shubham Krishna Borah and Ms. Nandita Krishna addressing the participants during the Orientation Course on implementation of section 15 of The Juvenile Justice Act.



Session on the Opening Reflections on Juvenile Justice

Training on Accessibility and Sensitising Stakeholders on the Rights of Persons with Disability was held virtually for nominated lawyers of Saket Court Bar Association on 19th January, 2024

PREVENTING SEXUAL HARASSMENT AT WORKPLACE

In furtherance of the duty cast on an employer under Section 19 of The Sexual Harassment at Workplace (Prevention, Prohibition and Redressal) Act, 2013, the Delhi Judicial Academy conducted an awareness programme on 16th January, 2024, for all its employees. The programme focused on explaining the aim and the development of the law on sexual harassment at workplaces. The ambit of the term “sexual harassment” was explained to the employees through the medium of videos and illustrative examples. What is considered appropriate behaviour and what consequences entail someone who crosses that line were elucidated. Focus was on building awareness and also educating all the employees about the grievance redressal mechanism in place in case of sexual harassment.

PROCEDURE FOR DISCIPLINARY ENQUIRIES

Orientation programme was held for Chairperson as well as all members of Vigilance and Internal Committees about the basic statutory provisions of The Sexual Harassment of Women at Workplace (Prevention, Prohibition & Redressal) Act, 2013 and procedure for conducting departmental enquiries on 3rd February, 2024. Deliberations were held on how an inquiry needs to be conducted under the Act. The procedure of dealing with a complaint was deliberated upon. The power of inquiring authorities, the necessity and relevance of having a fact finding inquiry, punishments and appeals were considered at length. Drafting of Standard Operating Procedure in such cases and its essentials were also discussed.



Resource persons addressing the participants on the nature and procedure of inquiry under The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013



Participants attending the session wherein the nuances of Departmental Inquiry were discussed by the resources person.



Resource persons addressing the participants attending the Orientation Programme on provisions of The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013



Participants of the Orientation Programme on The Sexual Harassment of Women at Workplace (Prevention, Prohibition & Redressal) Act, 2013 held on 3rd February, 2024.

CORE COMPETENCE PROGRAMMES & CONFERENCE FOR CAPACITY BUILDING OF STAKEHOLDERS

For MMs (NI Act)

A programme was conducted for all magistrates dealing with cases under The Negotiable Instruments Act, 1881 on 12th January, 2024. The preliminary session focussed on understanding disability and its kinds and impacts. It took stock of issues of limitation, complaint by or against a juristic person, effect of winding up and insolvency. Further, deliberations were held on issues of trial such as serving substance of accusation, conversion of summary trial to summons trial, digital recording of evidence, power of discharge and effect of settlements. Training on handling vulnerable witnesses as well as in curbing delays through disposal by resorting to triple method (plea bargaining, probation and compounding) was also imparted.



Resource persons addressing the participants on various aspects such as jurisdiction, limitation and digital recording of evidence in cases under The Negotiable Instruments Act, 1881.

for CMMs/ACMMs/MMs and Public Prosecutors attached to such courts

A programme was conducted for half of total strength of CMMs, ACMMs and Magistrates as well as Public Prosecutors attached to such courts on 27th January, 2024. In the opening session, principles of remand and bail and its interface with constitutional rights were analysed. Access to justice and responding to a vulnerable witness was deliberated upon. The sessions also deep dived into issues faced by the officers in handling miscellaneous applications as well as safeguards to be kept in mind while recording statements under Section 164 Cr.PC. Interface of criminal courts with Juvenile Justice Act, 2015 was analysed. Issues of trial and ways to curb delays and reduce arrears were also scrutinised. Role of a judge in recording of evidence and statement of accused was discussed. For the public prosecutors, sessions also covered considerations to be kept in mind while perusing a police report as well as the art of examining a witness.



Resource persons addressing the participants on issues of arrest, remand and bail and protecting vulnerable witnesses.



Resource person addressing the participants during the Core Competence Conference for CMMs, ACMMs and MMs held on 27th January, 2024.

for ASJs (POCSO), ASJ (FTSC) (POCSO), ASJs (SC) (POCSO) and Public Prosecutors attached to such courts

A Core Competence Conference was organised on 17th February, 2024 for knowledge, skill and perspective development for judicial officers holding POCSO Courts which included a convergence workshop of stakeholders in its two sessions attended by public prosecutors. During the second session in the Core Competence Conference for judicial officers, broad ranging deliberations were held around challenges in implementation of the POCSO Act, from recording of statement of the victim, maintaining the victim's privacy, determination of age, sentencing and compensation and issues of bail. The historical and social framework of child sexual abuse was discussed. The third session focussed on nature of forensic evidence, mode of collection thereof and the role of artificial Intelligence in forensics. A session was also dedicated to understanding the growing concern of child sexual abuse in Cyberspace.



Hon'ble Mr. Justice Yogesh Khanna and Hon'ble Ms. Justice Poonam A. Bamba, Former Judges, High Court of Delhi addressing the participants on the issue of protection of constitutional and legal rights by ensuring access to justice.



Resource persons addressing the participants on the issues and challenges in the implementation of the key provisions of the POCSO Act, 2012.

CONTINUOUS TRAINING PROGRAMMES AT THE ACADEMY

INDUCTION TRAINING: Ninety Three officers of the Delhi Judicial Service of the Batch of 2023 continued their induction training. The batch of officers underwent both practical training through court attachments and institutional training in this quarter. The officers also underwent field training at the Delhi State Legal Service Authority, Revenue Department and Delhi Police Academy. Six officers of the same batch joined in March, 2024 and are undergoing training at the Academy. Thirteen officers got their postings in March, 2024 as their training was exempted.

FOUNDATION TRAINING: Foundation training of two officers, directly recruited from the Bar to the Delhi Higher Judicial Services, continued and concluded in this quarter. The said officers were attached to courts of various jurisdiction before they were given their respective postings in the month of March 2024.

ORIENTATION COURSE: Two judicial officers of Delhi Higher Judicial Services on clearing the Limited Competitive Examination joined the Academy on 27th March, 2024. They are currently undergoing training in the Delhi Judicial Academy.

SUPERVISORY AND ADMINISTRATIVE SKILLS

A one day training was held on 24th February, 2024 for enhancing Supervisory and Administrative Skills of the judicial officers. Emphasis was laid on issues related to General Administration such as allocation and division of work, assessment of staff and time management. Increased attention was also given to building core administrative skills as well as tackling issues related to financial administration including role and responsibilities of the purchase committee, process of purchase and e-purchases through the GeM portal. Nuances of dealing with the RTI Act, 2005 as well as recruitment, promotion and training of district court staff were also deliberated upon and possible solutions were explored.



Mr. Vinod Kumar, Principal District and Sessions Judge, West District, Tis hazari addressing the participants on the core administrative skills during the Training Programme on Supervisory and Administrative Skills.

ORIENTATION COURSE FOR DISTRICT JUDGES (COMMERCIAL COURT)



Hon'ble Mr. Justice Rajiv Sahai Endlaw, Former Judge, High Court of Delhi addressing the participants on the issue of protection of constitutional and legal rights by ensuring access to justice.



Mr. Arvind Nayar, Senior Advocate addressing the participants during Orientation Course for District Judges (Commercial Court) held on 2nd March, 2024.

An intensive one day training was held for all District Judges (Commercial Court) on 2nd March, 2024. The prefatory session focused on basics of the Commercial Courts Act, 2015 as well as current developments and challenges. The following session discussed means of ensuring a speedy trial, strict adherence to timelines, case management hearing and summary judgements. It also assessed the balancing act to be carried out for ensuring an expeditious trial in the background of under section 124, Trademarks Act, 1999. Deliberations considered the exercise of discretion and use of inherent powers while disposing of interlocutory applications. General principles, rules of evidence and limitation regarding reading of account statements/balance sheets were also delved into. Examination of witnesses through video conferencing facility and High Court of Delhi Rules in this regard were discussed at length. The day ended with a discussion on best practices for adjudicating petitions under the Arbitration and Conciliation Act, 1996.

E-COMMITTEE TRAINING (ECT) PROGRAMMES

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

ECT-08: Two days' programme was conducted by the Delhi Judicial Academy on 12th and 13th February, 2024 for the officials of the Nazarat Branch. A wide array of subjects pertinent to the trainers ranging from Introduction to the e-Committee and e-Courts Project to data security and computer infrastructure were covered. Digitisation of court records, electronic hardware management, operating systems, CIS, N-Step, Word Processing software and Internet based communication were also discussed.

ECT-11: Programme on Hardware and Software maintenance, Data replication, Data monitoring, VC equipment, LAN connection etc. for the technical staff of the District Courts was conducted by the Academy virtually on 4th and 5th March, 2024. The programme involved threadbare discussion on the fundamentals and architecture of CIS, National Judicial Data Grid, JustIS application, ICJS and other softwares. The participants deliberated upon the best practices in maintenance and monitoring of servers, network administration, security, database administration, monitoring as well as data replication.

ECT-16: A two days' programme was conducted by the Delhi Judicial Academy for all judicial officers virtually on 14th and 15th February, 2024. The programme focussed on the utility of hardware, software and computer infrastructure installed in the courts. Discussion was held on use of CIS and its nuances in court proceedings. ICT tools for moving towards paperless courts, e-filing mechanism, ICJS and pre-trial module were also deliberated upon. Electronic Case Management Tools for judges and court staff such as, N-Step and GIMS were also discussed. Video-conferencing facility, hybrid hearing and digitisation formed part of the discussion.

TRAINING DISTRICT COURT STAFF

As per directions passed by the Supreme Court of India in *Rahul S. Shah v. Jinendra Kumar Gandhi & Ors.*, (2021) 6 SCC 418, the Academy held a programme for training of the Bailiffs, Incharges of Nazarat Branches and Nazirs of all the District Courts on 6th March, 2024. The aim of the programme was to comprehensively break down and brainstorm on issues relating to execution of decrees in civil courts. Interactive sessions were held thereby covering various legal aspects viz, execution of warrants, carrying out attachment and sale, properties which can and cannot be attached, warrants of possession and arrest, preparing reports and other official duties for executing orders of the Executing Courts.



Resource person addressing the participants on the Broad Structure of Executions in CPC and warrants of attachment issued thereunder.



Faculty members of Delhi Judicial Academy addressing the participants on the nuances of warrants of attachment and warrants of possession.

REFLECTIVE TRAINING OF DHJS OFFICERS

Reflective Training programme was organised for the DHJS (Direct Recruit) batch of 2023 and the promoted batch of 2023 was held on 15th March, 2024. 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. Group discussions were held which kept the participants captivated. The participants prepared presentations which were extensively discussed. These programmes serve as a robust platform for the Academy to get a feedback about its training modules and guide it towards the correctional steps which it needs to undertake to ensure that more pertinent and effective training programmes are organised in the future.



Hon'ble Mr. Justice R.K. Gauba, Former Judge, High Court of Delhi and Ms. Shail Jain, Principal District and Sessions Judge addressing the participants on the issues related to court management and case management.



Resource person addressing the participants on the issues relating to judicial ethics and conduct and those relating to litigants and lawyers.

ORIENTATION COURSE ON THE MENTAL HEALTHCARE ACT, 2017

An Orientation Course on Mental Health was held on 16th March, 2024 for judicial officers, police officials as well as mental health professionals. The training focused on comprehending mental health and mental illness with an increased focus on understanding “capacity”, both mental and legal, as envisaged under the UNCRPD. The finer nuances of Mental Healthcare Act, 2017, including the rights of persons with mental illness as enshrined in the Act along with the responsibilities of the stakeholders, were discussed. Case studies under the Act were also discussed. The laws on fitness to stand trial and the defence of Insanity were deliberated upon. A professor of Psychiatry shared with the participants the medical process underlining making of a psychiatric assessment of the accused’s fitness to stand trial.



Ms. Maitreyi Misra and Dr. Achal Bhangat addressing the participants during Orientation Course on The Mental Healthcare Act, 2017 held on 16th March, 2024.



Dr. Om Prakash addressing the participants on the issue of mental illness in judicial process.

ENSURING SENSITIVE HANDLING OF CASES RELATING TO SEXUAL OFFENCES AGAINST CHILDREN

An intensive one day training was held for doctors on 20th March, 2024. The training was conducted to equip participants with the ability to apply a child-friendly development lens while assessing capacity of a child. It empowered participants with techniques to use child friendly conversation so as to help elicit evidence/statements from children. Some of these techniques included rapport building, empathising, enquiring about abuse, closing the interview etc. Attention was also given to the role of doctors in making enquiries from the victim regarding the offence and their role in conducting counselling sessions for the victims. Relevant considerations to be kept in mind while conducting medical examination of victims and collection of samples for DNA Profiling and other forensic examinations were also deliberated upon. A session was also held on preparation of medico legal case reports coupled with the care and precautions to be borne in mind while preparing them.



Dr. Neha Varun and Dr. Ikramul Haque addressing the participants during the Training Programme in Ensuring Sensitive Handling of the Cases Relating to Sexual Offences against Children.



Dr. Sanjeev Lalwani addressing the participants on how to prepare Medico Legal Case reports.

INTERFACE OF THE JUSTICE DELIVERY SYSTEM WITH ARTIFICIAL INTELLIGENCE

This optional programme was conducted on 23rd March, 2024. It explored the key facets of law coming face to face with artificial intelligence, be it use of technology to analyse and aid performance of the judiciary, tryst of the law with wrongs committed by use of technology or use of technology in the day to day working of the Courts. The programme covered a wide array of topics including determination of culpability in cases of criminal and civil wrongs, cyber security and data protection, protecting judicial institutions from tech-based threats, wrongs committed in cyberspace and remedies thereto and the perceived role of Artificial Intelligence in dispute resolution.



Mr. Pavan Duggal, Senior Advocate addressing the participants on possible misuse of Artificial Intelligence

ENVIRONMENT AWARENESS AND STRESS MANAGEMENT RETREAT

Retreats each year are organised for the DHJS and DJS officers for personality development. In addition to exposing the officers to different indigenous techniques of environmental preservation, the intention of such retreats is to educate them on various public and private projects aimed at environmental upgradation and preservation. The retreats also serve the objective of stress and health management while assisting the officers in understanding local customs, people, cuisines and omnipresent elements.

With the above objectives, a retreat was organised in this quarter. A mixed group of DHJS and DJS officers went to Mount Abu, Nakki Lake and Delwara Temple, Rajasthan, from 29th-31st March, 2024.

