

# NEWSLETTER

## Delhi Judicial Academy

### Under the Aegis of



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Patron-in-Chief, Delhi Judicial Academy

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First Digital Accessibility Training Programme for Court Staff with Visual Disability conducted by the eCommittee, Supreme Court of India in collaboration with the Delhi Judicial Academy on 1<sup>st</sup> and 2<sup>nd</sup> September, 2023.

## eCommittee Regional Digital Accessibility Training for Court Staff with Visual Disability

Making the digital infrastructure of the judicial system more accessible to persons with disabilities is one of the core objectives of the e-Committee of the Supreme Court of India, being executed under the guidance of the Chief Justice of India, Hon'ble Dr. Justice D.Y. Chandrachud. Three training programmes of two days each were organised in the month of September, 2023 by the eCommittee, Supreme Court in collaboration with Delhi Judicial Academy for Court Staff with Visual Disability from Courts of all Northern States. A hands-on training model was adopted where each participant was given a desktop having accessibility software. The training was led by special educators from the National Institute for the Empowerment of Persons with Visual Disabilities using various assistive technologies. This training is a step in breaking down disability barriers and in promoting inclusion and diversity to ensure that no Court Staff is excluded from accessing information and services.

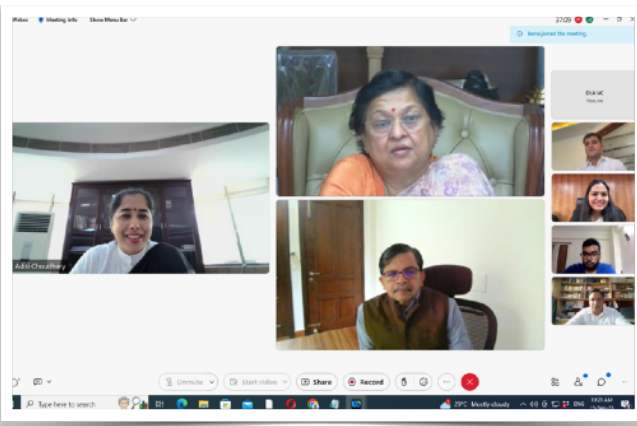
Right: Training in session during the third Digital Accessibility Training Programme conducted on 1<sup>st</sup> and 2<sup>nd</sup> September, 2023.



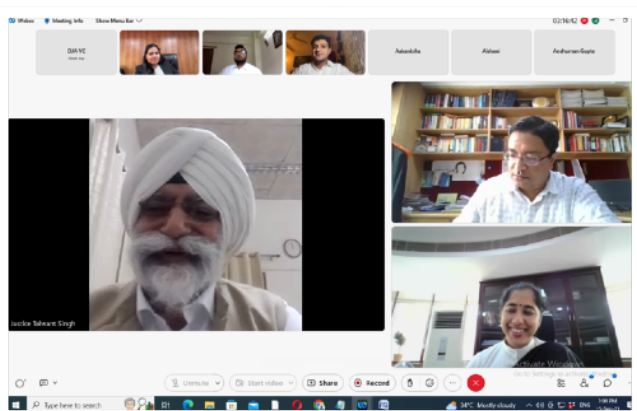
## Overview

A total of 34 training programmes were conducted by the Delhi Judicial Academy from July to September 2023. Of the total programmes, 22 programmes were organised for judicial officers and 12 programmes were held for other stakeholders of the justice delivery system. The programmes, though mostly held physically in the Delhi Judicial Academy Complex, also had a mix of hybrid sessions where felt essential.

## Workshop for Law Graduates yet to enrol at the Bar and Law Students in their Final Year



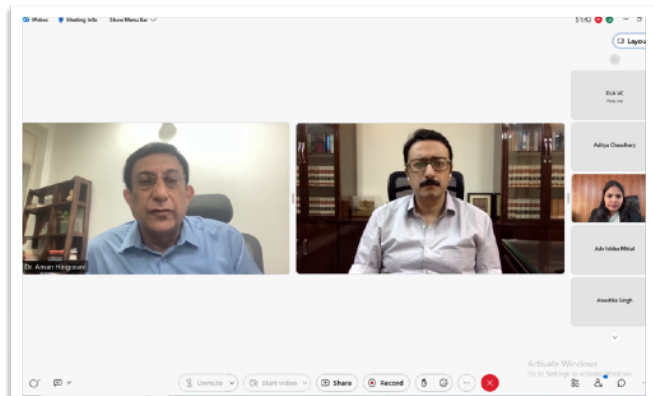
Hon'ble Ms. Justice Gita Mittal, Former Chief Justice, High Court of Jammu and Kashmir and Hon'ble Mr. Justice S. Muralidhar, Former Chief Justice, High Court of Odisha addressing the law graduates in the first session on 'Realising the Constitutional Vision'.



Hon'ble Mr. Justice Talwant Singh, Former Judge, High Court of Delhi and Dr Daniel Mathews, Assistant Professor, NLU Delhi addressing the law graduates in the second session on 'Embracing the New Digital Frontier' on 15<sup>th</sup> September, 2023.

explained the working of the Legal Aid mechanism and how law graduates, irrespective of whether they intend to work in a law firm, to teach, be in public service, or in practice, can forward the goal of access to justice. Lastly, Ms. Pinky Anand and Ms. Rebacca John, Senior Advocates, explained their own journey in the legal profession and underscored that in the legal profession the pursuit of knowledge never ends.

A two day online workshop was organised for 120 law graduates in collaboration with the National Law University, Delhi. This collaborative workshop was held on 15<sup>th</sup> and 16<sup>th</sup> September, 2023 through video conferencing. The prefatory session was addressed by Hon'ble Ms. Justice Gita Mittal, Former Chief Justice, High Court of Jammu and Kashmir and Hon'ble Mr. Justice S. Muralidhar, Former Chief Justice, High Court of Odisha. They discussion focused on the role that the new entrants can play in the legal profession by upholding the constitutional vision of justice and protecting the rights of the people. Another session focused on the intersection of law and technology and how to maintain fairness and equity with the advent of new technology such as Artificial Intelligence, Machine Learning etc as well as the required skill set to be honed, so as to utilise technology to our advantage while furthering the cause of justice. Options beyond litigation were also explored. Dr Amit George and Mr Jonathan Fernandes explained the implications of ADRs. The intricacies of court craft, conduct and ethics were beautifully interwoven by both Dr Aman Hingorani and Mr Jayant Bhatt. Hon'ble Ms. Justice Asha Menon, Former Judge, High Court of Delhi



Dr. Aman Hingorani, Advocate on Record and Mr. Jayant Bhatt, Advocate discussed the topic 'Courtroom Mastery: Navigating Court Conduct, Craft, and Legal Ethics' with the audience on 16<sup>th</sup> September, 2023.



Controller of Patents, Designs and Trademarks, Prof. (Dr) Unnat P. Pandit with the ACPDs in training programme held from 24<sup>th</sup> July, 2023 to 26<sup>th</sup> June, 2023.



Mr. Hemant Singh, Advocate addressing the participants in the Workshop on Order Writing for ACPDs on 25<sup>th</sup> July, 2023 at the Delhi Judicial Academy.

## Workshop on Order Writing for Assistant Controllers of Patents and Designs (ACPDs)

A three day order writing workshop was organised for ACPDs from across India in the Delhi Judicial Academy from 24<sup>th</sup> July, 2023 to 26<sup>th</sup> June, 2023, in compliance of the Judgment dated 12.05.2023 of the High Court of Delhi in Case No. C.A. (COMM.IPD-PAT) 88/2022 titled *Synthes GmbH v. Controller General of Patents, Designs and Trademarks* and order dated 26.05.2023 in C.A. (COMM.IPD-PAT) 158/2022 titled *Huhtamaki Ayi and Another v. Controller of Patents*. Twenty five ACPDs physically attend the workshop in the Delhi Judicial Academy, whereas the remaining 313 ACPDs joined virtually. This order writing workshop was conducted in different fields such as electrical, mechanical, chemistry alongside biotechnology and computer science for the ACPDs. The sessions were interspersed with practical understanding of the law and techniques on how to write a well reasoned order. Participants were given case studies and asked to attempt writing orders in real time. The orders written were then discussed and analysed in depth by experts in the field such as former members, Intellectual Property Appellate Board, former Controller of Patents and Designs and eminent advocates.

## Training of 10 newly recruited Judicial Officers (Grade-III) of Manipur Judicial Service

Ten newly recruited judicial officers of Manipur Judicial Service visited the Delhi Judicial Academy from 1<sup>st</sup> to 10<sup>th</sup> August, 2023. As part of their training, they underwent two days institutional training at the Academy on topics of electronic evidence, cyber crimes, age inquiry under the Juvenile Justice Act and other procedural issues in Criminal Law. The officers also visited NALSA and DSLSA, the Mediation Centre and Family Courts in Dwarka Court Complex, Tihar Jail, Juvenile Justice Board-I, Children's Home, Vulnerable Witness Deposition Centre and SPYM. They spent a day touring the city visiting various important historical and culturally important heritage sites in the capital. To understand the nuances of remand and bail and to observe court proceedings in Delhi District Courts, the officers visited Courts of Metropolitan Magistrates in Tis Hazari and Rohini Courts. Lastly, they visited Intelligence Fusion and Strategic Operations, Dwarka to get a practical look into the working of forensic science.



Group Photo with the Trainee Judicial Officers from Manipur Judicial Service on 10<sup>th</sup> August, 2023.



## Orientation Course on the Mental Healthcare Act, 2017

An Orientation Course on Mental Health was held on 28<sup>th</sup> July, 2023 for judicial officers, police officials as well as mental health professionals. The Programme comprised of sessions breaking down the concept of mental health and mental illness whilst along side shattering stereotypes that have been built up around mental illness. The training also focused on comprehending “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 law on fitness to stand trial and the defence of insanity were deliberated upon.



Mr. Arjun Kapoor, Programme Manager & Research Fellow, Centre for Mental Health Law, addressing the participants in the Orientation Course on the Mental Healthcare Act, 2017 on 28<sup>th</sup> July, 2023 in the Seminar Hall of the Delhi Judicial Academy.



Dr Aditi Choudhary, Director (Academics)/ Chairperson (Officiating) and Mr. Harish Dudani, Principal Judge, Family Court, Patiala House Courts addressing judicial officers at Patiala House Court on 14<sup>th</sup> July, 2023.

### Training Programmes in Compliance of Directions issued by the Hon'ble Supreme Court in *Satender Kumar Antil v. Central Bureau of Investigation and Another, (2022) 10 SCC 51*

As per directions of the Supreme Court in *Satender Kumar Antil v. Central Bureau of Investigation and Another*, (order dated 03.02.2023) training programmes were conducted by the Delhi Judicial Academy for all judicial officers in all District Courts of Delhi in the month of July 2023. The programme dealt with general principles, guidelines and mandatory directions issued regarding arrest, remand and bail by the Apex Court and the High Court of Delhi. The sessions were interactive in nature and invited reflections from the participants.

### Training for Special Court (NI Act)

In compliance of the directions passed by the 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 a retired District Judge who was appointed to preside over a Special Court (NI Act) established for the purpose of the pilot study. The training was conducted from 7<sup>th</sup> July to 3<sup>rd</sup> August, 2023.

The training focused on the basics of law relating to dishonour of cheques. The penal consequences of dishonour of a cheque, parties to a complaint, summoning and appearance of the accused, serving substance of the accusation to an accused and other different stages of trial of cases under the NI Act were discussed. The officer was 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 management and court management.

## Core Competence Conference

### *for Special Judges (NDPS) and their Public Prosecutors*

Two simultaneous programmes were conducted for Special Judges (NDPS) as well as Public Prosecutors posted in the said Courts on 2<sup>nd</sup> September, 2023. The first session focused on access to justice which included responding to a vulnerable witness/person battling addiction and the resultant challenges concerning mental health of such persons capacity to stand trial. Their right to personal liberty and balancing it with the need for rehabilitation was discussed. Training imparted focused on building a nuanced understanding of the legal framework against drug trafficking, narcotics, investigative process, including issues relating to investigation, trial, bail and sentencing. In addition, the programme for Public Prosecutors focused on recording and appreciation of evidence.



Hon'ble Mr. Justice S. Nagamuthu, Former Judge, High Court of Madras along with Mr. Reetesh Singh, District Judge (Commercial Court), Shahdara, Karkardooma Courts addressed the judicial officers and public prosecutors in a joint session on the principles of sentencing on 2<sup>nd</sup> September, 2023

### *For Presiding Officers, Labour Courts and Industrial Tribunals*

Presiding Officers of Labour Courts and Industrial Tribunals underwent a one day training programme on 1<sup>st</sup> September, 2023. The first session was organised as a Question-Answer session and dealt with the basic concepts under the Industrial Disputes Act, 1947. The following sessions dealt with adjudication of an industrial dispute related to domestic enquiries, execution of award and memorandum of settlement. Unfair labour practices vis-a-vis contract labour were discussed. The Programme concluded with screening of a movie highlighting the working conditions of labourers in factories.

### *For Presiding Officers, MACT, Police Officers and Nodal Insurance Officers*



Participants of Core Competence Conference for Knowledge, Skill and Perspective Development for Presiding Officers (MACT) and their Public Prosecutors on 16<sup>th</sup> September, 2023.

Core Competence Conference for Knowledge, Skill and Perspective development for Presiding Officers (MACT) and a Workshop for Building Synergy between different stakeholders were organised on 15<sup>th</sup> and 16<sup>th</sup> September, 2023 respectively. 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, vide order dated 16.11.2021. Training focused on conceptual issues of negligence, *res ipsa loquitur* and contributory negligence, and procedural issues such as jurisdiction, limitation etc. The recent developments

and its consequent effect on the role of the police, insurers and MACTs were delved into. Lastly, role of mediation and victim compensation by DLSAs as well as Lok Adalats was highlighted along with an understanding of the insurer's perspective. 'Rainmaker', the movie was shown to all participants.

### *For Special Judges (CBI) and their Public Prosecutors*

A one day training programme was organised on 23<sup>rd</sup> September, 2023 for Special Judges (CBI). The Sessions focused on issues of procedure such as sanction for prosecution, bail, attachment of property, framing of charge and joinder of charge and trial. The new *modus operandi*, issues of investigation, evidence and other issues of trial were discussed for the new emerging trends in frauds and scams as well as for cases of disproportionate assets and trap cases. A simultaneous programme was also organised for

public prosecutors attached to these courts. In addition to the above, issues of remand, bail and the role of the Public Prosecutor in securing a speedy trial were also discussed with them. The art of examination of a witness and how to deal with hostile witnesses was delved into. The type of questions which can and cannot be permitted when recording evidence were discussed.

*Right: Hon'ble Ms. Justice Mukta Gupta, Former Judge, High Court of Delhi addressing the participants of the Core Competence Programme for Knowledge, Skill and Perspective Development for Special Judges (CBD) on 23<sup>rd</sup> September, 2023.*



### *For CMMs/ACMMs/MMs and their Public Prosecutors*



*Hon'ble Mr. Justice Talwant Singh, Former Judge, High Court of Delhi addressing the participants of the Core Competence Programme for Knowledge, Skill and Perspective Development for CMMs/ACMMs/MMs on 21<sup>st</sup> July, 2023.*

Two programmes were conducted for one third strength of CMMs, ACMMs and Magistrates as well as Public Prosecutors on 21<sup>st</sup> July, 2023. The opening session was chaired by Hon'ble Mr. Justice Talwant Singh, Former Judge, High Court of Delhi who analysed the principles of remand and bail, the right to personal liberty and its interface with the constitutional vision. Access to justice and responding to a vulnerable witness was deliberated upon. The sessions also looked at issues faced by the Magistrates at all stages of trial. Handling of miscellaneous applications as well as safeguards to be kept in mind while

recording statements under section 164 Cr.P.C were also deliberated upon. 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. Directions passed in the cases such as *Raj Kumar @ Suman v. State (NCT of Delhi)* and *Satender Kumar Antil v. Central Bureau of Investigation*, were also discussed with the participants. An exhibition showcasing arms and ammunitions was also organised for the participants.

### **Fortifying Child Rights & Strengthening the Juvenile Justice System**

An Orientation Course on the functioning of the Juvenile Justice Board and a Conference for Capacity Building for other functionaries of the Juvenile Justice System were held through video conferencing on 15<sup>th</sup> July, 2023. The programmes centred on coordination, enhancement of knowledge and development of rights perspectives of members and Chairperson of the Child Welfare Committees (CWCs), Officers of the Special Juvenile Police Unit, Member Social Workers and Principal Magistrates of Juvenile Justice Boards (JJBs), District Child Protection Units and Children's Courts. The issue of preliminary assessment of CCL in cases of Heinous Offences and the procedure to be followed therein was discussed. Functions of Children's Court, Juvenile Justice Board, District Child Protection Unit and Special Juvenile Protection Unit as under the Juvenile Justice Act, 2015 were discussed. Issues concerning Test Identification Parade, legal aid, medical examination including directions under *Sr. Sephy v. Central Board of Investigation, 2023 SCC OnLine Del 717* were discussed. Core provisions of the Juvenile Justice law, specifically concerning grant of bail and appreciation of evidence, were focused on. The last session, which was a convergence session, facilitated dialogue and meaningful interaction between participants of both training programmes on the right stage of intervention, methods of communication, kinds of intervention whether therapeutic or social as well as rehabilitation in cases of drug abuse.



## Programmes Catering to Police Personnel

### *Inquiry under Section 107 and 151 Code of Criminal Procedure: Special Executive Magistrates*



Group Photograph taken on 19<sup>th</sup> May, 2023 of all participants along with Mr. Rakesh Asthana, Former Commissioner of Police, Delhi, Faculty, Delhi Judicial Academy and Mr. Sachin Sangwan, a Delhi Higher Judicial Service Officer.

A three day training programme was conducted from 19<sup>th</sup> to 21<sup>st</sup> September, 2023 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 Special Executive Magistrates were trained on the constitutional requirements of their roles. Detailed discussions were held on the implementation of Section 107 and Section 151, Cr.P.C. Mock order writing sessions and role play were conducted for hands on training. The participants were also shown a movie titled "Sirf Ek Banda Kafi Hai".

### *Sensitisation of Investigation Officers in handling investigation of cases pertaining to Human Trafficking and Sexual Offences against Women and Children*

A two day Conference to sensitise investigating officers in handling investigation of cases pertaining to Human Trafficking and sexual offences against women and children was conducted for additional DCPs and ACPs in Delhi Judicial Academy on 24<sup>th</sup> and 25<sup>th</sup> July, 2023. The programme commenced by giving the participants a nuanced understanding as to what constitutes violence and how it adversely affects women and children more than anyone else. There was then a focused discussion on what constitutes Human Trafficking. The focus of the session was on trafficking in the digital age. It was also felt important to underscore the victim's well being and the psychological impact both short term and long term, that a victim faces. A clinical psychologist discussed the different forms of impact that have been seen in victims, with the participants. The second day focused primarily on the legal matrix covering the issue as well as discussing the procedural issues faced by the police personnel while investigating and navigating the court machinery. Their role in rehabilitation was discussed and emphasised in the last session.



Dr Kamini Lau addressing the participants in the Sensitisation of Investigation Officers in handling investigation of cases pertaining to Human Trafficking and Sexual Offences against Women and Children on 25<sup>th</sup> July, 2023 in the Conference Hall of the Delhi Judicial Academy.

## Programmes Catering to Court Staff

### *Training of Trainers on Core Administrative functions and Management of Records*

A programme for training two *Ahlmads* and one Reader from each district as trainers on administration and management of records was held on 18<sup>th</sup> July, 2023. The aim of the programme was to build capacity and improve engagement amongst the court staff on issues related to general conduct and behaviour, an understanding of their core duties and functions, creation and inspection of record both in civil and criminal courts and how to deal with loss of record and eventual weeding out of record.



Mr. Narottam Kaushal, Principal District and Sessions Judge (HQs) addressing the participants on 18<sup>th</sup> July, 2023.

### *Sensitisation Programme for High Court Staff on Public Dealing*



Yoga Session being held in the Club House, Delhi Judicial Academy for the Sensitisation Programme for High Court Staff on Public Dealing on 22<sup>nd</sup> July, 2023.

A Sensitisation programme for High Court Staff on Public dealing was held on 22<sup>nd</sup> July, 2023 for 44 staff personnel deployed at the Filing Counter/ Pass Counter/ Facilitation/ Help Desk/ EPABX of the High Court of Delhi. The session began with a discussion on how one should conduct themselves in public—the appropriate dress code as well as do's and don'ts. Research Wing of the Delhi Judicial Academy conducted a public survey through a questionnaire in order to understand the difficulties faced by the litigants while dealing with the registry, results of which were shared with the participants. Necessary sensitivity, that is required to be maintained while

dealing with persons belonging to marginalised sections, was also discussed. A session was held specifically on how to handle grievances including how to give a patient hearing to a litigant and the essential communication skills. Further the programme delved into an overview of the Citizen's Charter and preparation of a checklist for those present after discussion and identification of best practices. Best practices were discussed to ensure minimisation of difficulties faced by the litigants, lawyers and general public. Lastly, participants learnt yoga exercises and pranayam to cope better with their job stress.

## Independence Day Celebrations at the Delhi Judicial Academy



Right: Unfurling of the National Flag at the Delhi Judicial Academy in celebration of India's 76<sup>th</sup> Independence Day.



## Continuous Training Programmes at the Academy

### INDUCTION TRAINING:

Hundred and three Delhi Judicial Service officers of the Batch of 2023 were notified by the Delhi Government. The induction training of the said officers has commenced. In the initial phase, sessions were held on understanding the expectations of the officers from the service and vice versa. Judicial ethics and applicable conduct rules were discussed with the new entrants. Sessions were also held on working of district Courts, technological advancements, judgement writing etc. Thereafter, the officers have been attached to Civil Courts for 3 weeks.

### FOUNDATION COURSE:

Foundation training of one officer concluded in this quarter. Another officer, directly recruited from the Bar to the Delhi Higher Judicial Service, also joined in this quarter and is presently undergoing four months foundation course at the Delhi Judicial Academy.

### ORIENTATION COURSE:

Three judicial officers of Delhi Higher Judicial Service on Promotion joined the Academy for undergoing one month training from 2<sup>nd</sup> June, 2023. Post conclusion of training, the officers have been given postings.

## Glimpses of the training of the New Batch of 2023 Officers of Delhi Judicial Service



## Valedictory Function on completion of Foundation, Orientation and Induction Courses on 25<sup>th</sup> September, 2023



Hon'ble Mr. Justice 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 25<sup>th</sup> September, 2023. Delhi Judicial Academy.



Hon'ble Mr. Justice Vibhu Bakhru, Judge, High Court of Delhi and Chairperson, Judicial Education and Training Programme Committee awarding Completion Certificates of the Foundation Course to the Trainee Officers.



Hon'ble Mr. Justice Yashwant Verma, Judge, High Court of Delhi and Member, Judicial Education and Training Programme Committee awarding Completion Certificates of the Foundation Course to the Trainee Officers.



Hon'ble Ms. Justice Rekha Palli, Judge, High Court of Delhi and Member, Judicial Education and Training Programme Committee awarding Completion Certificates of the Foundation Course to the Trainee Officers.



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