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CJA e-NEWSLETTER

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Monthly Newsletter of
Chandigarh Judicial Academy of Punjab & Haryana High Court
For circulation among the stakeholders in Judicial Education

FROM THE DESK OF CHIEF EDITOR

Each High Court has its own Judicial Academy for training the judicial officers. From the turn of 21st century, Judicial Education is being given serious concern. The National Judicial Academy was set up on Sept. 5, 2002. It is thereafter that the State Judicial Academies came up to be gradually set up. They are now operational. Hon'ble the Chief Justice of India, Justice S.A. Bobde while inaugurating the 19th Biennial State-Level Conference of Judicial Officers of Karnataka State Judicial Officers Association expressed his concern about reforms in Judicial Education. Judges are not born. They are made. They are trained. They are nurtured. They live and grow in an environment necessary to imbibe the qualities of a good judge. There are second, third and fourth generation judges. This does not mean that there are no first generation judges. It is only because of first generation judges that the next generation judges are possible. Therefore, the focus has to be on Judges from the threshold itself. The Judges need to be seriously shaped and trained for the future generation of judges.

I started my teaching career in 1969. More than 50 years back. A young bright mind asked me, how to be a good judge. Without a flicker (I had not anticipated this question), I said : Be a good human being. I co-relate this with an incident from the life journey of late Dr. A.P.J. Abdul Kalam, former President of India. He was studying in school. It was just after India got independence. His father was elected as Panchayat Board Member. Also elected the same day, the President of Rameswaram Panchayat Board. He was elected not because he belonged to a particular religion. Caste. Spoke a particular language. His economic status. He was elected because of the nobility of his mind. In fact, because he was a good human being. The young Kalam was reading his book under the kerosene lamp. No electricity. He heard a knock on the door. They never used to lock the door. The man came in. Asked Kalam for his father. Father had gone for Namaz. Mother was also on Namaz at home. She could not be disturbed. The gentleman had brought a gift for his father. Kalam told the gentleman to leave the gift on the cot. After a while, his father came. He was asked, who has left this. The father was

told, somebody came and has kept this for you. He found, it contained a costly dhoti, some fruits and some sweets. There was a slip of the person who had left it behind. The father was upset. He was angry. He gave Kalam thorough beating. Kalam got frightened. He started weeping. The mother consoled Kalam. The father lovingly advised Kalam, never to receive a gift without permission. He was told, receiving a gift is not a good habit. It is a dangerous thing. It is like touching a snake and getting the poison in turn. There is always a purpose behind a gift. Kalam was reminded of what is contained in Manu Smriti : By accepting gifts, the divine light in the person gets extinguished. It places the acceptor under an obligation in favour of the person who gave the gift. Ultimately, it results in making a person to do things which are not permitted according to law. This incident carries a message for everyone, loud and clear.

I believe that it is only the fortunate ones who get the opportunity to serve the Judiciary. To do justice is divine service. Sacrifices are made. Judicial Service is like the Military Service. Both services require making of sacrifices. The Military Service requires specified training and moulding. The same is true of the Judicial Service. The Indian Military Academy produces cadet officers. The Judicial Academies produce judicial officers. They both are required to perform. Therefore, the Academies are required to nurture and prepare them for the service requirements. It is in this background that the Judicial Academies need to review their role. Thus far, the basic focus has been to strengthen their legal knowledge base. The legal knowledge base is already there when they join the Judicial Service and come for training to Judicial Academies. It is on the basis of this base that the academies are required to mould and shape the future Judges. Judicial Academies should be the laboratories for judicial training. The class rooms of Judicial Academies should play the role of court rooms. From Law Moots, we need to move to Mock Trials. Mock Trials need to be conducted in the domain of specific legislations like POCSO and NDPS. Similarly, in several matters, there should be a full practical exposure of Civil Suit Trials. Revenue matters need special focus. The practical exposure of the same is of utmost importance. Judgment writing skills need to be developed. The Judicial Academies should expose the trainee judicial officer to case files. They should look into the factual canvas. Appreciate the evidence. Consider the law points. Learn the skills of writing reasoned judgments. The Judicial Academies need to expose the judges in the making, to realize the potential role that they are required to play. The field is open. Let the innovative minds come forward with new ideas. There is an ancient proverb :

“Give a man a fish and you would feed him for a day,
teach a man to fish and you feed him for life time.”

The Judicial Academies must train the young minds to think about applying the law. In different factual situations. Rather than merely to know the law. The training of Judges is different. Merely the knowledge of law is not enough. There is much more to that. Judges are to be trained to do justice. Remove injustice. In order to play this key role, they need to develop scientific temper. Be good listeners. Good comprehension. Compassion. Humanism. Feeling of empathy. The judges are to be trained to work sans their prejudices and biases. They must cultivate objective and neutral minds. They must keep company of principles of Natural Justice and due process of law. In short, Judicial Academies must nurture the young minds to use Judicial Culture in upholding the Rule of Law. The constitutional vision and morality must be the mind set of judicial officers.

The Judicial Academies are not made to merely feed the young minds with adult dose of, what the law is. The Judicial Academies need to focus on what helps in doing wholesome justice. It is building positive attitude. Killing negativity. Nurturing happy minds.

I firmly believe that judges need to be humble. It should be the part of the personality of a Judge. I wish to share a story. Amitab Bachchan was travelling by plane. He was at the peak of his career. An elderly gentleman was sitting next to him. He was simply dressed. He appeared to be middle class. Well educated. The other passengers in the plane did, of course, recognize A.B. This gentleman was not concerned as to who was sitting next to him. He was reading the morning newspaper. Looking out of the window. After a while, tea was served. He started sipping it. In order to strike conversation with him, A.B. smiled. He courteously smiled back, said "hello". They got talking. A.B. asked him, do you watch films? The man replied, very few. I did see one many years ago. A.B. told him that he works in the movie industry. The man asked, what do you do? A.B. replied, I am an actor. He nodded and said, "wonderful". When the plane landed, A.B. extended his hand and said, it was good to travel with you. By the way, my name is Amitab Bachchan. The man shook his hand and smiled. Thank you. Nice to have met you. My name is J.R.D. Tata. No matter how big you think, you are. There is always someone bigger than you.

Be humble, it costs nothing.

The Academies need to put emphasis on behaviour more than knowledge. In life, there are many situations where knowledge fails. Behaviour can handle everything. This, in fact, is the recipe of a good judge.

LATEST CASES : CIVIL

“When withdrawal of the exemption is in public interest, the public interest must override any consideration of private loss or gain.”

B.R. Gavai, J. in *Union of India v. Unicorn Industries*, (2019) 10 SCC 575

Shri Uttam Chand (D) v. Nathu Ram (D): 2020 SCC Online SC 37 – Long continuous possession by itself cannot be termed as adverse possession – Held – The Supreme Court has reiterated that long and continuous possession by itself cannot be termed as adverse possession so as to perfect title within the meaning of Article 65 of the Limitation Act. The Apex Court observed that that if according to the defendant, the plaintiff was not the true owner, his possession hostile to the plaintiff's title will not be sufficient.

Balkrishna Ram v. Union of India : 2020 SCC Online SC 21 – No blanket ban on exercise of writ jurisdiction by high court even when alternative remedies are available – Held – The rule of alternative remedy is a rule of discretion and not a rule of jurisdiction, the Supreme Court said while reiterating that there cannot be a blanket ban on the exercise of writ jurisdiction by High Courts even when alternative remedies are available. The bench was dealing with a civil appeal against Allahabad High Court judgment in which the issue raised was whether an appeal against an order of a single judge of a High Court deciding a case related to an Armed Forces personnel pending before the High Court is required to be transferred to the Armed Forces Tribunal or should be heard by the High Court, in view of Section 34 of the Armed Forces Tribunal Act, 2007.

M. Arumugam v. Ammaniammal and Others: 2020 SCC Online SC 15 – Hindu Succession – property of Hindu male undergoes notional partition on his death to devolve on heirs; no longer joint family property – Held – The Apex Court discussed the principles of succession as per Hindu Succession Act 1956 in a recent judgment. Referring to Sections 6 and 8 of the Act, the Court said that on death of a Hindu male, notional partition of his property will take place, and it will devolve on the legal

heirs based on their respective shares. Therefore, such property will no longer retain the character of a 'Joint Family Property' after such partition. The heirs will take after the property as tenants-in-common and will enjoy joint possession till the property is demarcated on their respective shares as per a settlement deed.

Vidya Devi v. The State of Himachal Pradesh and Other : 2020 SCC Online SC 14 – State cannot be permitted to perfect title by adverse possession to grab property of its own citizens – Held – The Supreme Court granted relief to an 80 year old illiterate widow, whose land was forcibly acquired by the Himachal Pradesh government in 1967-68 without following due process of law for construction of road. The Court held that state cannot invoke the doctrine of adverse possession to perfect title over land grabbed from private citizens. The Court held that that forcible dispossession of a person from his private property is violative of human rights and constitutional right under Article 300A.

Ambalal Sarabhai Enterprise Ltd. v. KS Infraspace LLP and Another & Haryana Containers Ltd. v. KS Infraspace LLP and Another : 2020 SCC Online SC 1 – Plaintiff seeking temporary injunction in specific performance suit has to show string prima facie case on undisputed facts – Held – The Supreme Court has observed that strong prima facie case on undisputed facts is necessary for getting the relief of temporary injunction in a suit for specific performance of contract. This is because of the fact that specific performance by itself is a discretionary remedy. The bench also said that the conduct of parties is also a relevant consideration for interim injunction, in addition to the factors of prima facie case, balance of convenience and irreparable injury.

Vinay Eknath Lad v. Chiu Mao Chen : 2019 SCC Online SC 1668 – Landlord's derivative

title has to be established when it is challenged by tenant – Held – The Supreme Court has observed that, though in a landlord-tenant suit, the landlord is not required to prove his title in the subject property as in a title-suit, but when his/her derivative title is challenged, the same has to be established in some form. **Further Held** – Though the principle of estoppel bars a tenant from questioning the title landlords [Section 116 of the Evidence Act], the court said that in this case, the said principle cannot be made applicable in the present case straightaway as the main defence set up by the tenant is that he had acknowledged the said partnership firm as the landlord but questioned the locus standi of the plaintiffs, who operated under the same trade name. It added: "In absence of attornment or public notice of dissolution, the defendant had no way of having knowledge of change of landlord of the subject-premises from partnership firm to a co ownership concern. The co-ownership firm admittedly was not the defendant's landlord at the time of commencement of the lease. Thus, the identity of the landlord stood altered, though the seventeen individuals continued to operate under the same trade name."

M/s Dyna Technologies Pvt. Ltd v. M/s Crompton Greaves Ltd. : 2019 SCC Online SC 1656 : Inadequacy of reasons in arbitral award and unintelligible awards : SC explains difference – Held – The Supreme Court, in a judgment highlighted the difference to be noted by the Courts between inadequacy of reasons in an award and unintelligible awards under the Arbitration and Conciliation Act, 1996. The Court observed that ordinarily unintelligible awards are to be set aside, while the challenge on inadequacy of reasons, has to be adjudicated based on the degree of particularity of reasoning required having regard to the nature of issues falling for consideration.

X v. Y : 2019 SCC Online SC 1636 – Article 142 can be invoked to dissolve a marriage found to be a dead letter – Held – Marriages are said to be made in heaven. They are broken on earth, said the Supreme Court while

dissolving a marriage on the ground of its irretrievable breakdown. The bench observed that Article 142 of the Constitution of India can be invoked to dissolve a marriage in cases where a marriage is found to be a dead letter.

Dr. (Major) Meeta Sahai v. State of Bihar : 2019 SCC Online SC 1632 – Candidate not estopped from challenging selection process when misconstruction of statutory rules is alleged – In a notable judgment in service law, the Supreme Court held that a candidate will not be estopped from challenging a selection process on the ground of having participated in it when there is allegation of "misconstruction of statutory rules and discriminating consequences arising therefrom". This was held by a bench of Supreme Court while deciding a preliminary objection against the maintainability of an appeal.

Maharaja Agrasen Hospital v. Master Rishabh Sharma : 2019 SCC Online SC 98 – Hospital vicariously liable for medical negligence committed by its doctors – Held – The Supreme Court observed that a hospital is vicariously liable for the acts of negligence committed by the doctors engaged or empanelled to provide medical care. The Court observed thus while upholding an NCDRC order holding a Hospital to be vicariously liable for medical negligence of the Doctors who allegedly failed to carry out the mandatory check up of Retinopathy of Prematurity of a pre-term baby, which led to his total blindness.

Common Cause v. Union of India &Ors.: MANU/SCOR/42380/2019 – SC directs centre to impose mandatory conditions for re-grassing mining are after operations – Held – The Supreme Court has directed the Central Government to impose a mandatory condition in the mining lease, mining plan and environmental clearance that re-grassing of the mining area should be undertaken by mining lease holders after mining operations. The Apex Court ordered so after noting that mining operations in an area results in complete elimination of grass.

LATEST CASES : CRIMINAL

“A constructive trust arises by operation of law, without regard to the intention of the parties to create a trust. It does not require a deed signifying the institution of trust. Under a constructive trust, the trust arises by operation of law as from the date of the circumstances which give rise to it. The function of the court is only to declare that such a trust has arisen in the past.”

Shilpa Mittal v. State of NCT of Delhi : 2020 SCC OnLine SC 20 : JJ Act : Offences prescribing max sentence of more than 7 years but not providing minimum sentence are not 'Heinous Offences', but 'Serious Offences' – Held – The Supreme Court has observed that an offence prescribing a maximum sentence of more than 7 years imprisonment but not providing any minimum sentence, or providing a minimum sentence of less than 7 years, cannot be considered to be a 'heinous offence' within the meaning of Section 2(33) of the **Juvenile Justice (Care and Protection of Children) Act, 2015**. Invoking Article 142 of the Constitution, the Court held that category of offences viz., offence where the maximum sentence is more than 7 years imprisonment, but no minimum sentence or minimum sentence of less than 7 years is provided, shall be treated as 'serious offences' within the meaning of the Act.

Col. S.S. Deswal & Ors. v. Virender Gandhi & Anr. : 2020 SCC OnLine SC 18 – NI Act: Section 148 has retrospective application, but 143A is prospective, reiterates SC – Held – The Supreme Court reiterated that Section 148 of the Negotiable Instruments Act is retrospective, while Section 143A is not. In this case, the accused was convicted for an offence under Section 138 of the N.I. Act. The Appellate Court required them to deposit 25% of the amount of compensation/fine imposed by the trial Court, pending appeals challenging the order of conviction and sentence. The case reached the Supreme Court in which the question arose whether Section 148 is retrospective or not.

Purshottam Chopra v. State : 2020 SCC OnLine SC 6 : 100% burn injuries by itself does not mean victim was incapable of making dying declaration – Held – The Apex Court observed that merely because the

Indira Banerjee, J. in **Janardan Dagdu Khomane v. Eknath Bhiku Yadav, (2019) 10 SCC 395**

deceased had suffered 100% burn injuries, it cannot be said that he/she was incapable to make a statement which could be acted upon as dying declaration. The contention taken in this case was that the victim had suffered 100% burns and he was already in critical condition and further to that, his condition was regularly deteriorating. It was contended that in such a critical and deteriorating condition, he could not have made proper, coherent and intelligible statement.

M.E. Shivalingamurthy v. CBI : 2020 SCC OnLine SC 5 : Section 227 Cr.P.C : Defence of accused cannot be looked into while considering his discharge petition – Held – The Supreme Court has observed that defence of the accused cannot be looked into at the stage when the accused seeks to be discharged under Section 227 of the Code of Criminal Procedure. The Apex Court noted that the principle is to take the materials produced by the prosecution, both in the form of oral statements and also documentary material, and act upon it without it been subjected to questioning through cross-examination and everything assumed in favour of the prosecution, if a scenario emerges where no offence, as alleged, is made out against the accused, it, undoubtedly, would enure to the benefit of the accused warranting the Trial Court to discharge the accused.

Surinder Kumar v. State of Punjab : 2020 SCC OnLine SC 3 : NDPS Trial : Non-examination of independent witness by prosecution does not mean accused was falsely implicated – Held – In a trial under Narcotic Drugs and Psychotropic Substances Act, merely because the prosecution did not examine any independent witness, would not necessarily lead to conclusion that accused was falsely implicated, the Supreme Court has reiterated. In the appeal before the Supreme

Court, the contention was that no independent witness was examined, despite the fact they were available. While dealing with the contention, the Court reiterated the view already taken in **Jarnail Singh v. State of Punjab**, and said: "In the aforesaid judgment, this Court has held that merely because prosecution did not examine any independent witness, would not necessarily lead to conclusion that accused was falsely implicated. The evidence of official witnesses cannot be distrusted and disbelieved, merely on account of their official status."

Ruhi v. Anees Ahmad : Criminal Appeal No. 7 of 2020 in SLP (Cri.) No. 106 of 2007 : DoD 06.01.2020 (SC): Courts at a place where wife resides after leaving matrimonial home can entertain complaints u/s 498A IPC – Held – The apex court reiterated that even the courts at the place where the wife resides after leaving the matrimonial home will have jurisdiction to entertain her complaint under Section 498 A of the Indian Penal Code. The Apex Court noted that in **Rupali Devi v. State of UP**, judgment which was delivered last year it was held it is not necessary that a complaint should be filed only at the place of the matrimonial home.

In re: Assessment of the Criminal Justice System in response to Sexual Offences : 2019 SCC OnLine SC 1654 : SC seeks responses from Centre & State Governments in a bid to "make criminal justice system responsive" in sexual assaults cases – Held – In a bid to make criminal justice system responsive in cases relating to sexual assaults, the SC has sought information with regard to status of affairs at ground level from various duty holders like investigation agencies, prosecution, medico-forensic agencies, rehabilitation, legal aid agencies and also Courts to get a holistic view. Taking note of the fact that post Nirbhaya incident, which shocked the conscience of the nation, many amendments were introduced in criminal law redefining the ambit of offences, providing for effective and speedy investigation and trial, the Court noticed that still the desired results were not achieved and that as per the latest report of National Crime Records Bureau

of Crime in India in the year 2017, total 32,559 cases of rape were registered in India. It said, "*The Nirbhaya case is not an isolated case where it has taken so long to reach finality. In fact, it is said that it has been one of the cases where agencies have acted swiftly taking into account the public outrage.*"

Anokhil v. State of Madhya Pradesh : 2019 SCC OnLine SC 1637 : The Supreme Court lays down guidelines for appointment of amicus curiae where there is possibility of life sentence or death sentence – Held – Noticing that where death sentence could be one of the alternative punishments, the courts must be completely vigilant and see that full opportunity at every stage is afforded to the accused. It laid down the below mentioned norms to ensure the same.

- In all cases where there is a possibility of life sentence or death sentence, learned Advocates who have put in minimum of 10 years practice at the Bar alone be considered to be appointed as Amicus Curiae or through legal services to represent an accused.
- In all matters dealt with by the High Court concerning confirmation of death sentence, Senior Advocates of the Court must first be considered to be appointed as Amicus Curiae.
- Whenever any counsel is appointed as Amicus Curiae, some reasonable time may be provided to enable the counsel to prepare the matter. There cannot be any hard and fast rule in that behalf. However, a minimum of seven days' time may normally be considered to be appropriate and adequate.
- Any learned counsel, who is appointed as Amicus Curiae on behalf of the accused must normally be granted to have meetings and discussion with the concerned accused.

Jatinder Kumar v. State of Haryana : 2019 SCC Online SC 1628 : [Section 304B IPC] Seeking financial assistance can also constitute demand for dowry – Held – The Supreme Court observed that seeking financial assistance can also constitute 'demand for dowry'. In a criminal appeal related to dowry death case, the contention raised by the accused was that the money demanded by him was for extension of clinic, and not as dowry.

LATEST JUDGMENT : POCSO ACT

"In a country, which follows the Rule of Law, independence of the judiciary is sacrosanct. There can be no Rule of Law, there can be no democracy unless there is a strong, fearless and independent judiciary. This independence and fearlessness is not only expected at the level of the Superior Courts but also from the District Judiciary."

Deepak Gupta, J. in Krishna Prasad Verma v. State of Bihar, (2019) 10 SCC 640

In Re: Alarming rise in the number of reported child rape incidents: Suo Moto Writ Petition (Criminal) No. 1/2019: DoD 08.01.2020 : The Supreme Court directs states to appoint exclusive public prosecutors in POCSO Courts – Held – The SC, while considering a suo motu writ petition, said that the statutory mandate under Section 32 of the POCSO Act is clear and provides that Special Public Prosecutor under the Act should not deal with other cases. The court observed that Public Prosecutors must be trained to deal with child victims and child witnesses. The court also asked the National Judicial Academy to prepare a team of master trainers who can travel from State to State to impart training to the persons appointed as Special Public Prosecutors not only in law but also in child psychology, child behaviour, health issues etc. It said: *"They need to understand the psychology of children. They need to empathize with children. They need to know how to bring out the truth from children who are victims of sexual abuse and have to undergo the trauma again while recounting the traumatic experience. The job assigned to the Public Prosecutor for POCSO cases is a very onerous one which must be carried out with great care and sensitivity. Therefore not only is there a need to have exclusive Public Prosecutors but there is also a need to develop a training programme where these Special Public Prosecutors should be trained to deal with issues which will arise in their Courts. These issues may not be confined to legal issues which otherwise Public Prosecutors may be trained to deal with. The issues may be psychological, health and other related issues."*

Re: Alarming rise in the number of reported child rape incidents : Suo Moto Writ (Criminal) No.1/2019 : DoD 13.11.2019 : Create additional force for investigation of POCSO offences, SC directs Centre & States – Held – That one major reason for the inability of the stake holders to meet the deadline stipulated under the Act, is lack of

awareness and lack of dedication in completing investigation, etc. within the time frame stipulated and also inadequacy of the number of courts which has resulted in cases remaining pending beyond the period mandated for completion of trial under the Act. *"We hope and expect that the Central Government will play a much more proactive role to ensure that trials of cases arising out of the POCSO Act are completed in the time frame laid down in the Act. We direct all the State Governments as well as the Union of India to do what is required to be done to ensure that all stages of investigation as well as trial, as contemplated under the Act, are completed within the time frame by creation of additional force for investigation. We further direct the Union of India and the State Governments to take steps for sensitization of officials associated with the investigation and also for creation or assignment of dedicated courts to try POCSO cases on top priority so that charge-sheets are filed within the mandatory period and trials are completed within the time frame contemplated under the Act."*

In Re: Alarming rise in the number of reported child rape incidents: Suo Moto Writ Petition (Criminal) No. 1/2019 : DoD 25.07.2019 : SC Directs Setting Up Of Exclusive Court To Deal With POCSO Cases In Each District Within 60 Days – Held – The Supreme Court issued directions for setting up of a centrally-funded exclusive court in all districts where 100 or more cases have been set up under the Protection of Children from Sexual Offences (POCSO) Act. It said the exclusive courts for child victims have to be set up in every district having over 100 cases under the POCSO Act. The bench said the Centre would have to appoint trained, sensitized prosecutors and support persons to deal with the POCSO cases and also directed the chief secretaries of states and union territories to ensure timely submission of forensic reports in such cases.

NOTIFICATION

Central Government to set up 1023 Fast Track Special Courts for speedy disposal of POCSO and Rape cases : Ministry of Law and Justice has started a scheme to set up 1023 Fast Track Special Courts (FTSCs) for speedy disposal of rape and POCSO cases.

Initiated under the National Mission for Safety of Women (NMSW), the scheme will set up 1023 FTSCs across the country based on the pendency of subject cases obtained from various High Courts (1,66,882 numbers as on 31.03.2018). It promises 'time-bound' trial and disposal of pending cases.

The scheme also states that as per the directions of the Supreme Court in suo moto matter, out of 1023 FTSCs, 389 Courts have been proposed to be set up exclusively for POCSO Act related cases in districts where pendency of such cases is more than 100.

While circulating the scheme to all the state governments and UT administrations, Law Minister Ravi Shankar Prasad urged the said governments to implement the scheme in order to create deterrence against such crimes.

In pursuance of the same, government data has revealed that out of total 31 States and UTs, so far, 24 have joined this scheme (Andhra Pradesh, Assam, Bihar, Chhattisgarh, Gujarat, Haryana, Himachal Pradesh, Jharkhand, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Manipur, NCT of Delhi, Nagaland, Odisha, Punjab, Rajasthan, Tamil Nadu, Telangana, Tripura, UT of Chandigarh, Uttarakhand and Uttar Pradesh) for setting up of 792 numbers of FTSCs/ including 354 exclusive POCSO courts.

In addition to this, 216 numbers of POCSO courts have already been operationalized in 12 States under the scheme.

It is also stated by the Ministry that the Department of Justice is continuously working towards extending requisite assistance to the High Courts and State Governments in setting up of these Courts for prompt trial and disposal of cases.¹

¹<https://pib.gov.in/PressReleaseDetail.aspx?PRID=1598939>

EVENTS OF THE MONTH

1. **Refresher-cum-Orientation Course for Civil Judges** from the States of Punjab and Haryana was organized on 11.01.2020 at CJA. The Judicial Officers were sensitized on topics: General Aspects of Execution, Emerging Trends in Protection of Women from Domestic Violence Act, 2005, Appreciation of Digital Evidence – I&II, Training on Practical Use of Computers in Courts. The sessions were taken by Faculty from CJA, Sh. Gurcharan Singh, Faculty, Cyber Crimes, CDIT and Resource Persons from Punjab and Haryana High Court. 59 candidates participated in the refresher course.

2. **On Jan.18, 2020 Program on “Deciphering Cyber Laws and Enforcement”** was organized at Chandigarh Judicial Academy by Hon’ble Punjab and Haryana High Court Legal Services Committee. It was inaugurated by HMsJ Daya Chaudhary, Judge, Punjab and Haryana High Court.

3. **Training Programme for Public Prosecutors (24) from the State of Haryana** was organized from Jan. 15-25, 2020 at CJA. During span of 10 days total 39 sessions were taken. The Public Prosecutors were sensitized about different aspects of criminal and civil law. Various sessions were taken by Dr. Balram K. Gupta, Director (Academics), CJA, Dr. K.P. Singh, DG, SVB, Haryana, Sh. Anil Malhotra, Advocate, Dr. J.S. Dalal, Prof. & Head, Department of Forensic Medicine, CMC, Ludhiana and Faculty from CFSL and CJA.

4. A batch of **Civil Judges, Junior Division (40) from the State of Jammu and Kashmir was imparted Induction Training** at CJA. They arrived in the evening of Jan. 07 and departed on Jan.26, 2020. For 18 days, they

were imparted Induction Training from Jan. 08 to Jan. 25, 2020. During this the officers were imparted training about important aspects of criminal and civil laws. The inaugural session was addressed by HMJ Rajesh Bindal, Judge, J&K High Court and Dr. Balram Gupta, Director (Academics), CJA. The different sessions were taken by Faculty from CFSL & CJA besides HMJ Rajesh Bindal and Dr. Balram K. Gupta. The officers were taken to High Court and Panchkula District Courts. They were also taken to Central Forensic Science Laboratory to provide them practical exposure. They were taken to Golden Temple, Amritsar and Wagah Border. They visited the holy town – Anandpur Sahib including Virasat-e-Khalsa, museum of Sikhism. They also visited Rauza Sharif and Gurudwara Fatehgarh Sahib. In Chandigarh, they were taken to visit Rose Garden, Rock Garden, Sukhna Lake and Elante Mall where they also watched movie Chhapaak. They participated in the Republic Day celebrations on Jan.26, 2020 in the Hon’ble High Court of Punjab and Haryana.

5. **Refresher-cum-Orientation Course for Civil Judges from the States of Punjab and Haryana** was organized on 25.01.2020 at CJA. The Judicial Officers were sensitized on topics: General Aspects of Execution, Emerging Trends in Protection of Women from Domestic Violence Act, 2005, Appreciation of Digital Evidence – I&II, Training on Practical Use of Computers in Courts. The sessions were taken by Faculty, CJA, Sh. Gurcharan Singh, Faculty, Cyber Crimes, CDIT and Resource Persons from Punjab and Haryana High Court. 64 candidates participated in the refresher course.

FORTHCOMING EVENTS

1. **Refresher-cum-Orientation Course for ADJs** from the State of Punjab and Haryana is scheduled to be organized on Feb. 08, 2020.

2. **Refresher-cum-Orientation Course** for Civil Judges from the State of Punjab through Video Conferencing is scheduled to be held on Feb. 29, 2020.