



सत्यमेव जयते

UTTARAKHAND COURT NEWS

(A Quarterly Court Magazine)

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High Court of Uttarakhand, Nainital

EDITORIAL BOARD

Hon'ble Mr. Justice Sudhanshu Dhulia

Hon'ble Mr. Justice Alok Singh

Hon'ble Mr. Justice U. C. Dhyani

COMPILED BY

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Hon'ble Judges of High Court of Uttarakhand on super annuation of the Hon'ble Justice S.K. Gupta.

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UTTARAKHAND HIGH COURT**LIST OF JUDGES (As on 31st December, 2017)**

Sl. No.	Name of the Hon'ble Judge	Date of Appointment
1.	Hon'ble Mr. Justice K.M. Joseph (Chief Justice)	31.07.2014
2.	Hon'ble Mr. Justice Rajiv Sharma	26.09.2016
3.	Hon'ble Mr. Justice V. K. Bist	01.11.2008
4.	Hon'ble Mr. Justice Sudhanshu Dhulia	01.11.2008
5.	Hon'ble Mr. Justice Alok Singh	26.02.2013
6.	Hon'ble Mr. Justice Servesh Kumar Gupta	21.04.2011 (Superannuated on 31.12.2017)
7.	Hon'ble Mr. Justice Umesh Chandra Dhyani	13.09.2011
8.	Hon'ble Mr. Justice Lok Pal Singh	19.05.2017
9.	Hon'ble Mr. Justice Manoj Kumar Tiwari	19.05.2017
10.	Hon'ble Mr. Justice Sharad Kumar Sharma	19.05.2017

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Transfer of Judicial Officers

S.No	Name & Designation of the Officer	Place of Transfer	Date of Order
1	Smt Seema Dugrakoti 2 nd Addl. C.J.(J.D.), Dehradun	1 st Addl. C.J.(J.D.), Dehradun	13.10.17
2	Sri Neeraj Kumar 3 rd Addl. C.J.(J.D.), Dehradun	2 nd Addl. C.J.(J.D.), Dehradun	13.10.17
3	Ms Tista Shah 4 th Addl. C.J.(J.D.), Dehradun	3 rd Addl. C.J.(J.D.), Dehradun	13.10.17
4	Sri Sachin Kumar J.M.-II, U.S. Nagar	J.M.-I, U.S. Nagar	13.10.17
5	Ms Ashalika Pandey 5 th Addl. C.J.(J.D.), Dehradun	4 th Addl. C.J.(J.D.), Dehradun	13.10.17
6	Ms Chandreshwari Singh J.M.-IV, Dehradun	J.M.-III, Dehradun	13.10.17
7	Sri Arvind Kumar 2 nd A.D.J., Haldwani, Nainital	1 st A.D.J., Nainital	28.10.17
8	Sri G.S. Dharamshaktu Presiding Officer, Labour Court, Hardwar	Dist. & Sessions Judge, Pauri Garhwal	29.11.17

Appointments

S.No.	Name of Judicial Officer	Place of Appointment	Date of order
1	Sri Bhupendra Singh Shah	5 th Addl. C.J.(J.D.), Dehradun	13.10.17
2	Ms Minakshi Dubey	J.M., Kashipur, U.S. Nagar	13.10.17
3	Ms Bhawna Pandey	J.M., Ramnagar, Nainital	13.10.17
4	Sri Vivek Singh Rana	J.M., Kotdwara, Pauri Garhwal	13.10.17
5	Ms Shikha Bhandari	J.M.-IV, Dehradun	13.10.17
6	Sri Rizwan Anshari	C.J.(J.D.), Chakrata, Dehradun	13.10.17
7	Ms Kanchan Chaudhary	J.M.-I, Hardwar	13.10.17
8	Ms Shalini Dadar	J.M.-II, Rudrapur, U.S. Nagar	13.10.17
9	Ms Nisha Devi	C.J.(J.D.), Doiwala, Dehradun	13.10.17
10	Sri Rohit Joshi	C.J.(J.D.), Joshimath, Chamoli	13.10.17
11	Sri Shambhu Nath Singh	J.M.-II, Hardwar	13.10.17
12	Sri Laval Kumar Verma	C.J.(J.D.), Ukhimath, Rudrapur	13.10.17
13	Sri Kuldeep Narayan	C.J.(J.D.), Dhuma, Pauri Garhwal	13.10.17
14	Sri Anil Kumar Kori	C.J.(J.D.), Gangolihat, Pithoragarh	13.10.17
15	Ms Shivani Nahar	C.J.(J.D.), Sitarganj, U.S. Nagar	10.11.17

Circulars

From,

Registrar General,
High Court of Uttarakhand,
Nainital.

To,

All the District Judges,
Principal Judge/Judges, Family Courts,
State Judiciary,
Uttarakhand.

C. L. No.04 7(A)-8/UHC/D.R. (1)/2017 Dated: 27 October, 2017.

Subject:- Regarding Issue of Adjournments.

Sir/Madam,

With regard to the subject cited above, It is submitted that in the meeting of Arrears Committee of Hon'ble Supreme Court of India with Hon'ble Chief Justices of all the High Courts, it has been resolved that Issue of adjournments must be taken seriously, as it has serious implications on the expeditious & time-bound disposal of cases.

Hon'ble Court time and again has issued various directions in this regard and has directed that:

1. The inquiry or trial shall be held as expeditiously as possible in accordance with the provisions of Section 309 Cr.P.C.
2. Once examination of the witnesses starts, the Court has to continue the trial from day-today until all the witnesses in attendance have been examined.
3. The inquiry or trial after the commencement can only be postponed or adjourned for special reasons to be recorded in writing as per the provisions of Section 309 Cr.P.C.
4. If a witness is present in the Court, he must be examined on that day. If not, reasons thereof shall be recorded and shall be intimated in writing to the District Judge.
5. If the witness is present in the Court, but the Presiding Officer concerned is on leave, the District & Sessions Judge will withdraw the

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case and will transfer the same to other competent court, where, evidence of the witness will be recorded same day.

6. The adjournments should not be granted in a casual manner and frequently to suit the convenience of the Advocate concerned.

7. Provisions of Code of Civil Procedure including the provisions relating to granting of adjournments shall be followed in true letter & spirit.

It is further submitted that in spite of aforementioned directions, which have been issued time to time by the Hon'ble Court, it has been observed that adjournments are granted very casually and more often on frivolous grounds, which ultimately causes delay in disposal of cases.

In view of aforesaid, I am directed to request you to direct all the Judicial Officers under your administrative control to avoid all unnecessary & frivolous adjournments and to pass a reasoned & speaking order on adjournments. Adjournments sought on frivolous grounds be refused.

You, are therefore, requested to bring the directions of Hon'ble Court to the knowledge of all the Judicial Officers posted in your respective Judgeship, for strict compliance.

Registrar General

From, Registrar General,
High Court of Uttarakhand,
Nainital

To, All the District Judges,
State Judiciary,
Uttarakhand.

C. L. No. 05 V(a)-7A/HCD R. (1/2017) Dated: 27 October, 2017.
Subject: Effective utilization of Section 265A - 265L Cr.P.C.,
relating to Plea Bargaining.

Sir/Madam,

With regard to the subject cited above, I am directed to request you to draw attention of all the Judicial Officers that on the recommendations of Malimath committee, Chapter XXI-A has been added in the Code of Criminal Procedure, which provides a self contained procedure for implementation of the concept of 'Plea Bargaining' to be used in Criminal cases except such cases which are relating to offenses affecting the Socio economic condition of the Country. This is a special provision where an accused facing a trial may be advised to admit a part or all the crime charged, in return for a specified punishment rather than await trial with the possibility of either acquittal or a more serious punishment.

Hon'ble Court with a view to spread awareness and to inform the accused persons in this regard, had issued a Circular Letter No. 03 UHC/ Admin (B/2008), dated 07 Jan, 2008. Regarding the information of provisions of Plea Bargaining to accused persons at the time of issue of summons. In the said Circular Letter, it has been directed that it be ensured by all criminal courts that following information has been furnished to the accused at the time of sending of summons: "You are hereby informed that you can take recourse to the provisions of plea bargaining contained in Chapter XXI-A of the Code of Criminal Procedure."

Therefore, I am directed to request you kindly to impress upon all the Judicial Officers working under your administrative control to make effective use of provisions of Chapter XXI-A Cr.P.C. and to ensure compliance of C.L. No. 03 dated 07.06.2008.

Registrar General

From, Registrar General,
High Court of Uttarakhand,
Nainital

To, All the District Judges,
Principal Judge/Judges, Family Courts,
State Judiciary,
Uttarakhand.

C. L. No. 06 V(a)-SUHCD R. (1/2017) Dated: 27 October, 2017.

Subject: Regarding Disposal of cases.
Sir/Madam,

With regard to the subject cited above, in continuation of earlier directions issued by the Hon'ble Court, I am directed to issue following directions to be complied strictly in true letter & spirit.

- (i) Cases, which are more than five years old, be disposed of on priority basis.
- (ii) Cases, in which, accused is in jail for more than 02 years, be disposed of at the earliest. Such cases be fixed on day-to-day basis.
- (iii) Bail applications be not kept pending for long and should be disposed of as far as possible within a week.
- (iv) Magistrate Trials, where accused are in custody, be normally concluded within six months and Sessions Trials, where accused are in custody be normally concluded within two years.
- (v) Pending appeals, where convicts are in custody, be disposed of at the earliest.
- (vi) All the cases, which are more than 10 years old, be disposed of by 31st of March, 2018.

You, are therefore, requested to bring the directions of Hon'ble Court to the knowledge of all the Judicial Officers posted in your respective Judgeship, for strict compliance.

Registrar General

From, Registrar General,
High Court of Uttarakhand,
Nainital.

To, All the District Judges,
State Judiciary,
Uttarakhand.

C. L. No. 07 V(a)-6UHCGR (IV)2017

Dated: 27 October, 2017.

Subject: Effective Implementation of Section 436-A Cr.P.C.
Sir/Madam,

With regard to the subject cited above, I am directed to request you to draw attention of all the Judicial Officers on the implementation of Section 436-A Cr.P.C., which reads as under:

Section 436-A: Maximum period for which an under-trial prisoner can be detained.— "Where a person has, during the period of investigation, inquiry or trial under this Code of an offence under any law (not being an offence for which the punishment of death has been specified as one of the punishments under that law) undergone detention for a period extending up to one-half of the maximum period of imprisonment specified for that offence under that law, he shall be released by the Court on his personal bond with or without sureties.

Provided that the Court may, after hearing the Public Prosecutor and for reasons to be recorded by it in writing, order the continued detention of such person for a period longer than one-half of the said period or release him on bail instead of the personal bond with or without sureties.

Provided further that no such person shall in any case be detained during the period of investigation, inquiry or trial for more than the maximum period of imprisonment provided for the said offence under that law.

Explanation.— In computing the period of detention under this section for granting bail, the period of detention passed due to delay in proceeding caused by the accused shall be excluded".

In this regard, I am directed to request you to direct all the Judicial Officers to periodically ensure the compliance of Section 436-A Cr.P.C. Chief Judicial Magistrates be directed to ensure in the course of monthly Jail Inspection that no under-trial prisoner is detained in contravention of said provision.

You, are therefore, requested to bring the directions of Hon'ble Court to the knowledge of all the Judicial Officers posted in your respective Judgeship and to submit a quarterly return in this regard.

Registrar General

From, Registrar General,
High Court of Uttarakhand,
Nainital.

To, All the District Judges,
Principal Judge/Judges, Family Courts,
State Judiciary,
Uttarakhand.

C.L. No. 08 V(a)-4/UHC/D.R. (I)/2017

Dated: 27 October, 2017.

Subject: Regarding Disposal of cases more than 05 years old,
Sir/Madam,

With regard to the subject cited above, in continuation of earlier directions issued by the Hon'ble Court, I am directed to request you to monitor the disposal of old cases and to submit regular reports to the High Court.

I have also been directed to request to encourage all the Judicial Officers posted under your respective jurisdiction to devote themselves in clearing the backlog and to concentrate on case-to-case basis starting from the oldest.

You, are therefore, requested to bring the directions of Hon'ble Court to the knowledge of all the Judicial Officers posted in your respective Judgeship and to do the needful accordingly.

Registrar General

INSTITUTION, DISPOSAL AND PENDENCY OF CASES**> HIGH COURT OF UTTARAKHAND (from 01.10.2017 to 31.12.2017)**

						Pendency (As on 01.10.2017)		
						Civil Cases	Criminal Cases	Total Pendency
						20492	9254	29746
Institution (01.10.2017 to 31.12.2017)			Disposal (01.10.2017 to 31.12.2017)			Pendency (As on 31.12.2017)		
Civil Cases	Criminal Cases	Total Institution	Civil Cases	Criminal Cases	Total Disposal	Civil Cases	Criminal Cases	Total Pendency at the end of 31.12.17
3439	1989	5428	3374	1778	5152	20557	9465	30022

District Courts

(From 01.10.2017 to 31.12.2017)

Sl. No	Name of the District	Civil Cases				Criminal Cases				Total Pendency at the end of 31.12.2017
		Opening Balance as on 01.10.17	Institution from 01.10.17 to 30.12.17	Disposal from 01.10.17 to 31.12.17	Pendency at the end of 31.12.17	Opening Balance as on 01.10.17	Institution from 01.10.17 to 31.12.17	Disposal from 01.10.17 to 31.12.17	Pendency at the end of 31.12.17	
1.	Almora	297	137	141	293	693	699	613	779	1072
2.	Bageshwar	116	61	55	122	386	236	189	433	555
3.	Chamoli	277	105	68	314	728	382	438	672	986
4.	Champawat	144	57	48	153	980	568	534	1014	1167
5.	Dehradun	11790	3271	2956	12105	90634	26978	35893	81719	93824
6.	Haridwar	10104	1350	1214	10240	40150	14130	13160	41120	51360
7.	Nainital	2287	564	569	2282	10363	3476	2904	10935	13217
8.	Pauri Garhwal	979	185	206	958	3325	1667	1305	3687	4645
9.	Pithoragarh	353	89	67	375	1359	1003	1023	1339	1714
10.	Rudraprayag	134	37	42	129	1411	169	291	1289	1418
11.	Tehri Garhwal	301	98	91	308	1463	814	711	1566	1874
12.	U.S.Nagar	5524	885	726	5683	30363	9093	8207	31249	36932
13.	Uttarkashi	384	106	90	400	934	485	565	854	1254
	Total	32690	6945	6273	33362	182789	59700	65833	176656	210018

➤ **Family Courts**

(From 01.10.2017 to 31.12.2017)

SL. No	Name of the Family Court	Civil Cases				Criminal Cases				Total Pendency at the end of 31.12.2017
		Opening Balance as on 01.10.17	Institution from 01.10.17 to 31.12.17	Disposal from 01.10.17 to 31.12.17	Pendency at the end of 31.12.17	Opening Balance as on 01.10.17	Institution from 01.10.17 to 31.12.17	Disposal from 01.10.17 to 31.12.17	Pendency at the end of 31.12.17	
1.	Almora	61	35	43	53	56	15	28	43	96
2.	Dehradun	1725	431	473	1683	880	202	202	880	2563
3.	Rishikesh	190	47	50	187	172	32	42	162	349
4.	Vikas Nagar	119	49	55	113	119	44	34	129	242
5.	Nainital	505	81	84	502	817	116	94	839	1341
6.	Haridwar	681	151	133	699	550	106	93	563	1262
7.	Roorkee	460	150	148	462	504	101	92	513	975
8.	Pauri Garhwal	71	16	27	60	77	29	25	81	141
9.	Kotdwar	188	37	55	170	231	44	29	246	416
10.	Tehri Garhwal	81	32	34	79	38	13	13	38	117
11.	U.S. Nagar	801	192	159	834	857	134	126	865	1699
	TOTAL	4882	1221	1261	4842	4301	836	778	4359	9201

Some Recent Judgments of Uttarakhand High Court

Division Bench Judgments

1. In *Criminal Appeal No.169/2012, Raja Ram and Anr. Vs. State of Uttarakhand* decided on 11.10.2017, the Bench observed that extra-judicial confession is a weak piece of evidence. For relying on evidence of extra-judicial confession, the court has to look into the surrounding circumstances and to find out whether the extra-judicial confession is inspired by any improper or collateral consideration or circumvention of the law suggesting that it may be true one and for this purpose, the court must scrutinize all relevant facts such as to person to whom the confession was made, the time and place of making it, the circumstances in which it was made and also the actual words used by the accused. If the extra-judicial confession suffers from material discrepancies or inherent improbabilities and does not appear to be cogent, it would be difficult to base conviction on such confession.
2. In *W.P. (S/B) No.353/2014, Dr. Samrat Sharma Vs. State of Uttarakhand and Ors.* decided on 12.10.2017, the Bench observed that the standard of appreciation of evidence in a departmental proceeding definitely differs from that of a criminal trial. Whereas a criminal trial, the prosecution has to prove its case beyond a reasonable doubt, in a departmental proceeding charges can be established on a preponderance of probabilities. Though a charge need not to be proved beyond a reasonable doubt in a departmental proceeding, yet a charge has to be reasonably established on a preponderance of probabilities.
3. In *W.P. (S/B) No.454/2016, Dr. Kalpana Patni Lakhera Vs. Chancellor, Uttarakhand Open University & Ors.* decided on 14.11.2017, the Bench held that it is trite that a person must possess the qualification, which are prescribed in point of time either in terms of the rule or order. If no date is specified in the advertisement, as the date by which the candidate must possess the qualification, then it is settled law that the candidate must be possessed the qualifications by the last date for applying for the post.
4. In *Criminal Appeal No.41/2016, Rajkumar Vs. State of Uttarakhand, with Criminal Appeal No. 44 of 2016 Phool Chand Vs State of Uttarakhand* decided on 15.11.2017, the Bench observed that "last seen theory" comes into play where the time gap between the point of time, where the

- accused and the deceased were last seen alive and then deceased is found dead and when the deceased is found dead, is so small that possibility of any person other than the accused being the author of the crime becomes impossible. Where time gap is long, it would be unsafe to base conviction on the "last seen theory".
5. In *Special Appeal No.728/2017, Rattandeep Singh Vs. State of Uttarakhand and Ors.* decided on 27.11.2017, the Bench observed that what is binding on the court is a law laid down under Article 141 of The Constitution of India. It may not be open to the High Court to not follow the law laid down by the Hon'ble Apex Court on the basis that if another argument had been raised before it, the decision of the Hon'ble Apex Court would have been different. When there is a conflict between legislation enacted by the State on the one hand and by the Central legislation on the other hand, every efforts should be made to harmonize and reconcile the legislation.
 6. In *W.P.(S/B) No.387/2011, Bharat Sinha Vs. U.P. Hill Electronics Corporation Limited & Ors.* decided on 28.1.2017, the Bench observed that the services of the petitioner, who was a permanent employee had been terminated without complying with the principles of natural justice, while the concerning clause of the rules did not provide that the services would "stand automatically terminated", but it only provided that the services were "liable to be automatically terminated". Therefore, the principle of natural justice must be read into the clause.
 7. In *Government Appeal No.139/2016, State Vs. Sartaj Khan*, decided on 07.12.2017, the Bench observed that the statement recorded under section 164 of Cr.P.C., though, is not substantive piece of evidence but still it has a great corroborative value, more particularly, when there is no contradiction in the statement of recorded under section 164 of Cr.P.C. and the deposition before the trial court on essential facts. It is further observed that the importation of the girls and their kidnapping for exploitation is a heinous crime against the society. It is an organized crime. There should be strictness against the persons who are indulging in this heinous act.
 8. In *First Appeal No.19/2014, Laxminarayan Patwal Vs. Smt. Renu Patwal*, decided on 20.12.2017, the Bench observed that it is beyond a human expectation that a spouse to a marriage who lives separately for ten years did not have any intention to deprive the other spouse of a right of co-habitation or deprive of discharging other co-related matrimonial responsibilities attached to concept of Hindu marriage. Because the period of living separately itself imbibes in it a

deprivation from co-habitation, hence it would amount to be a desertion with an intention of living separately permanently. It is further observed that cruelty may not be apparent, it may be virtual also. The cruelty can be determined from a silent conduct of a partner it is not necessary that in an every act of cruelty there has to be a quarrel or there has to be a use of filthy language or there has to be a use of criminal assault, the cruelty can be attributed from silence too.

Single Bench Judgments

1. In *A.O. No.385/2016, Kanika Nagpal @ Jinni Vs. National Insurance Company Limited and Ors.* decided on 10.10.2017, the Bench observed that in the Motor Accident Claim cases, the requirement to prove a particular fact is not on the same yardstick as is needed for a criminal or a civil case and applying the principles under the Indian Evidence Act strictly. If the papers of a reputed institute are produced in order to show prima facie genuineness, such papers should have acceptability.
2. In *W.P. No.954/2008(M/S), Ravi Kant Garg and Anr. Vs. State of Uttarakhand and Anr.* decided on 03.11.2017, the Bench observed that stamp duty on a property is to be determined on the basis of the status of a property as prevailing on the date of execution of Sale Deed. Merely because of the fact that an advocate chamber being operated from a residential area, in itself will not make the property commercial and it cannot be treated as to be a commercial establishment.
3. In *W.P.(M/S) No.2191 of 2017, Pratap Trading Company Vs. the State of Uttarakhand and Ors with other W.Ps.* decided on 17.11.2017, the Bench observed that it is settled position in law that award of a contract is commercial activity, therefore State and its instrumentalities are given more freedom in setting terms and conditions of the tender. An interference is called for only when terms and conditions of the tender are arbitrary, discriminatory, mala fide or actuated by bias.
4. In *W.P.(M/S) No.2446 of 2017, Nainital Zila Shram Nirman and Vipnan Sahakari Sangh Limited Vs. State of Uttarkhand and Anr.* decided on 17.11.2017, the Bench observed that since, cooperative society is a body corporate with distinct legal personality, therefore, experience if any, acquired by one of its member cannot be treated as experience of the experience cooperative society.

5. In *Criminal W.P. No.662/2017, Ravinder Kumar Vs. State of Uttarakhand and Ors.* decided on 21.11.2017, the Bench observed that once an inquiry is ordered by the State Government to be conducted by the Inspector General of Police, and thereafter, on the basis of that inquiry, an FIR was filed and investigation was given to SIT, there was no occasion for the State to have their interference in the investigation that too under a thinly disguised shield of "supervisory jurisdiction". The object of a criminal process, which is here set in motion by lodging an FIR, is to go to the truth of the matter, without fear, favour or prejudice.
6. In *Criminal Jail Appeal No.23 of 2017, Baru Singh Vs. State of Uttarakhand* decided on 05.12.2017, the Bench observed that where the evidence of the police officials after careful scrutiny, inspires confidence and is found to be trustworthy and reliable, it can form the basis of conviction and the absence of same independent witness of locality to lend corroboration to their evidence, does not in any way affect the creditworthiness of the prosecution case.
7. In *Special Leave to Appeal No.612/2014 with CRMA No.63/2014 in Criminal Appeal No.20/2014, Harvinder Singh Vs. State of Uttarakhand and Ors.* decided on 11.12.2017, the Bench observed that if any amount has been given to the respondent by the applicant and if the applicant has proper documents showing the intention of cheat and defrauding of the respondent, the same would come under the definition of forgery and not an offence under section 138 N.I. Act.
8. In *W.P.(M/S) No.927 of 2014, Mohan Lal Shah Vs. Smt. Shanta Bisht and Anr.* decided on 18.12.2017, the Court observed that it is not the tenant who can dictate the terms upon the landlord and advise him what he / she should do and what he / she should not. It is always the privilege of the landlord to choose the nature of the business and the place of business.

Major Events & Initiatives

1. **Superannuation of Hon'ble Mr Justice S.K. Gupta:-** On Superannuation of Hon'ble Mr Justice S.K. Gupta a Full Court Reference was held on 29.12.2017 in the court of Hon'ble the Chief Justice on the superannuation of Hon'ble Judge. An official dinner was hosted by the High Court in the honour of Hon'ble Judge.

Programmes attended by Hon'ble Judges (From October–December, 2017)

1. Hon'ble Mr Justice K.M. Joseph, the Chief Justice, Hon'ble Mr Justice Rajiv Sharma, the Senior Judge & Hon'ble Mr Justice Sudhanshu Dhulia visited Chandigarh to attend "North Zone Meet of State Legal Services Authority" on 01.10.17.
2. Hon'ble Mr Justice Sudhanshu Dhulia visited National Judicial Academy, Bhopal to attend "Workshop on Counter Terrorism in collaboration with CEELI/FJC for High Court Justices" during the period from 27.10.17 to 29.10.17.
3. Hon'ble Mr Justice Sharad Kumar Sharma visited National Judicial Academy, Bhopal to attend "National Judicial Conference for High Court Justices" during the period from 27.10.17. to 29.10.17.
4. Hon'ble Mr Justice Lok Pal Singh visited New Delhi to attend "International Conference on Environment, 2017" during the period from 03.11.17 to 04.11.17. He also visited National Judicial Academy, Bhopal to attend "National Judicial Conference for High Court Justices on Intellectual Property Rights" during the period from 17.11.17 to 19.11.17.
5. Hon'ble Mr Justice U.C.Dhyani visited National Judicial Academy, Bhopal to deliver a talk in "Conference for Registrars dealing with Court Procedures & Process Re-engineering" during the period from 24.11.17 to 26.11.17.
6. Hon'ble Mr Justice V.K.Bist visited Lucknow to attend "North Zone Regional Conference on Enhancing Excellence of the Judicial Institutions, Challenges & Opportunities" during the period from 25.11.17 to 26.11.17.

ACTIVITIES OF SLSA FOR THE MONTHS OF OCTOBER TO DECEMBER, 2017

NATIONAL LOK ADALATS

As per directions of National Legal Services Authority and under the valuable guidance of Hon'ble the Executive Chairman, Uttarakhand State Legal Services Authority, a National Lok Adalat was organized in the State of Uttarakhand from Tehsil Level to District Level in all the Courts and Quasi Judicial Authorities, including the Hon'ble High Court on 09.12.2017. In the said National Lok Adalat, apart from the civil and criminal cases, the matters pertaining to labour disputes, revenue disputes, land acquisition act, family disputes, MACT, NI Act, water and electricity and all such matters which can be settled amicably were taken up.

In the said National Lok Adalat, total number of **26,766** cases were listed and out of them **5,860** cases were settled amicably. Amount to the tune of **Rs. 15,72,39,042/-** was also settled.

LEGAL LITERACY AND AWARENESS DRIVE AT STATE LEVEL

In order to propagate legal awareness among the common people about their legal rights, Government welfare schemes available to them and the legal activities being run by the legal services institutions, the Uttarakhand State Legal Services Authority first identified common places in District-Almora (Manila), District-Bageshwar (Pharsali), District-Chamoli (Kulsari), District-Dehradun (Rishikesh), District-Haridwar (Niranjanpur), District-Tehri Garhwal (Ghansali) and District-Udham Singh Nagar (Mohammadpur Bhudiya) and then organized Mega Legal Literacy and Awareness Camps thereon in coordination with more than 30 Government Departments. These camps were presided by the Hon'ble Executive Chairman, Uttarakhand SLSA and various authorities from different department sensitized the common people about their legal rights and also redressed their grievances at the spot. In these mega camps, District Administration also issued the Aadhar cards, disability certificate, pension certificates to the Widows and Old age Persons. The medical check-up was done on the spot and medical equipments were also distributed to the needy people. The mega camps are also proposed to be organized in the remaining districts of the State in near future.

TRAINING TO THE PANEL LAWYERS

To enhance the working skills and for ensuring accountability of panel lawyers towards the works assigned to them, the Uttarakhand State Legal Services Authority had conducted training programmes as per the second training module approved by NALSA, in different phases for the districts of Kumaon Region at Nainital. In the said training programmes, total 113 panel lawyers engaged by 06 DLSAs of Kumaon Region have been imparted training by the Member Secretary, Uttarakhand State Legal Services Authority and two Master Trainers (Advocates) who had undergone training at Delhi.

LEGAL AWARENESS CAMPAIGN THROUGH MOBILE VAN

To provide legal aid and advice to the common people at their doorsteps, legal awareness and sensitization camps are being organized through mobile van throughout the State at various villages of different districts. During the months of October, 2017 to December, 2017 State Legal Services Authority's mobile van visited District-Rudraprayag, Udham Singh Nagar and Haridwar covering 60 places whereby 4,912 persons were benefited. Also, in the mobile lok adalat 06 cases were taken up.

In the said camps documentary films on the subjects of mediation, lok adalat and legal aid prepared by National Legal Services Authority and State Legal Services Authority were displayed. The queries raised by the villagers were also resolved on the spot. The applications were also received for legal aid which were either disposed of at the level of State Authority or were sent to the authorities concerned for appropriate and necessary action.

LEGAL AWARENESS ON COMMEMORATIVE DAYS

Between the months of October, 2017 to December, 2017, the Mental Health Day, Constitution Day, Disability Day, International Day of Human Rights and HIV/AIDS Day were observed throughout the State. During these occasions, 216 special legal literacy and awareness camps were organized wherein 23,741 people got benefitted.

Also, the people at large were made aware about the nine schemes launched by National Legal Services Authority, by all the District Legal Services Authorities by organizing legal awareness camps, programmes and seminars.

STATISTICAL INFORMATION

STATEMENT SHOWING THE PROGRESS OF LOK ADALATS HELD IN THE STATE OF UTTARAKHAND FOR THE PERIOD FROM OCTOBER, 2017 TO DECEMBER, 2017

S. No.	Name of DLSA's	No. of Lok Adalats Held	No. of Cases Taken up	No. of Cases Disposed off	Compensation/ Settlement Amount	Amount Realized As Fine (in Rs.)	No. of Persons Benefited in Lok Adalat
01	ALMORA	01	223	149	2,62,52,797	50,000	155
02	BAGESHWER	03	103	37	34,56,368	13,450	37
03	CHAMOLI	01	133	32	37,01,050	-	32
04	CHAMPAWAT	03	373	148	16,84,500	1,76,000	148
05	DEHRADUN	04	16219	5335	2,86,67,188	27,88,930	5400
06	HARDWAR	02	13413	2075	1,52,73,127	15,32,223	2075
07	NAINITAL	01	424	174	73,66,541	4,22,200	174
08	PAURI GARHWAL	01	315	273	87,86,170	2,79,200	273
09	PITHORAGARH	04	1089	275	68,08,888	1,11,400	275
10	RUDRAPARYAG	01	133	43	22,18,245	25,300	43
11	TEHRI GARHWAL	01	194	121	52,16,017	-	121
12	U.S. NAGAR	01	1830	351	3,89,82,480	-	351
13	UTTARKASHI	01	426	137	61,55,323	900	137
14	HCLSC, NAINITAL	01	258	10	32,17,800	-	10
	TOTAL :-	25	35133	9160	15,77,86,494	53,99,603	9231

**STATEMENT SHOWING THE PROGRESS OF CAMPS ORGANIZED IN THE
STATE OF UTTARAKHAND FOR
THE PERIOD FROM OCTOBER, 2017 TO DECEMBER, 2017**

S. No.	Name of DLSA's	No. of Camps Organized	No. of Persons Benefited in Camps
01	ALMORA	30	7143
02	BAGESHWER	35	2767
03	CHAMOLI	249	18809
04	CHAMPAWAT	21	3758
05	DEHRADUN	61	5001
06	HARDWAR	114	9060
07	NAINITAL	155	6453
08	PAURI GARHWAL	179	26032
09	PITHORAGARH	58	10183
10	RUDRAPARYAG	19	5893
11	TEHRI GARHWAL	48	2337
12	U.S. NAGAR	3162	102020
13	UTTARKASHI	436	15063
	TOTAL :-	4567	214519

**STATEMENT SHOWING THE PROGRESS OF LEGAL AID AND
ADVICE/COUNSELING PROVIDED IN THE STATE OF UTTARAKHAND
FOR THE PERIOD FROM OCTOBER, 2017 TO DECEMBER, 2017**

S. No.	Name of DLSA's	No. of Persons Benefited through Legal Aid & Advice	
		Legal Aid	Legal Advice/ Counseling
01	ALMORA	18	06
02	BAGESHWER	03	-
03	CHAMOLI	04	17
04	CHAMPAWAT	04	-
05	DEHRADUN	104	-
06	HARDWAR	87	01
07	NAINITAL	34	04
08	PAURI GARHWAL	22	78
09	PITHORAGARH	08	01
10	RUDRAPARYAG	-	-
11	TEHRI GARHWAL	14	02
12	U.S. NAGAR	113	-
13	UTTARKASHI	06	-
14	H.C.L.S.C., N.T.L.	46	07
15	U.K. S.L.S.A., N.T.L.	-	29
	TOTAL	463	145

UTTARAKHAND JUDICIAL AND LEGAL ACADEMY, BHOWALI, NAINITAL

Training Programmes held in the month of October, November and December, 2017 :-

S. No.	Name of Training Programmes/ Workshops	Duration
1.	Sensitization Workshop on "Animal Protection Laws and Animal Welfare Laws" for officers in the Cadre of H.J.S. <i>(Sponsored & Financed by Animal Welfare Board of Uttarakhand, Dehradun) (3rd phase)</i>	06 & 07 October, 2017 (Friday & Saturday) (for two days)
2.	Workshop on emerging trends in Cyber Law and Electronic Evidence for CJM's/Judicial Magistrates <i>(1st phase)</i>	27 & 28 October, 2017 (Friday & Saturday) (for two days)
3.	Training of Police Sub-Inspector/ Investigating Officers of Kumaon Range Under Section 498 A of IPC <i>(Sponsored & Financed by Jail Department, Uttarakhand) (1st Phase)</i>	30 October, 2017 to 04 November, 2017 (Monday to Saturday) (for six days)
4.	Workshop on emerging trends in Cyber Law and Electronic Evidence for CJM's/Judicial Magistrates <i>(2nd phase)</i>	13 & 14 November, 2017 (Monday & Tuesday) (for two days)
5.	Foundation Training Programme for Newly Recruited Civil Judges (J.D.) 2015 Batch <i>(1st phase of Institutional Training)</i> <i>(Including One day Training Programme of Referral Judges for Mediation)</i>	15 November, 2017 to 31 January, 2018 (two and half months) (on going)
6.	Training of Police Sub-Inspector/ Investigating Officers of Kumaon Range Under Section 498 A of IPC <i>(Sponsored & Financed by Jail Department, Uttarakhand) (2nd Phase)</i>	20 November, 2017 to 25 November, 2017 (Monday to Saturday) (for six days)
7.	40 hours (5 days) Mediation Training Programmes for the HJS Officers including the District and Sessions Judges & Civil Judges (Sr. Div.) <i>(1st phase)</i> <i>Conducted by: MCPC, Hon'ble Supreme Court of India.</i>	27 November, 2017 to 01 December, 2017 (Monday to Friday) (for five days)
8.	40 hours (5 days) Mediation Training Programmes for the HJS Officers including the District and Sessions Judges & Civil Judges (Sr. Div.) <i>(2nd phase)</i> <i>Conducted by: MCPC, Hon'ble Supreme Court of India.</i>	04 December to 08 December, 2017 (Monday to Friday) (for five days)
9.	Sensitization Training Programme for Senior Superintendents/ Superintendents/ other Senior Officials of Jail Department, Uttarakhand <i>(Sponsored & Financed by Jail Department, Uttarakhand)</i>	18 December to 20 December, 2017 (Monday & Wednesday) (for three days)



Full Court Reference on superannuation of Hon'ble Justice S. K. Gupta



A Memento is presented to Hon'ble Justice S. K. Gupta by Hon'ble Judges

Foundation Training Programme for Newly Recruited Civil Judges (J.D.), 2015 Batch

