

# uttarakhand court news

(A Quarterly Court Magazine)

Vol.-VIII Issue No.-3 (July- September, 2017)



## High Court of Uttarakhand, Nainital

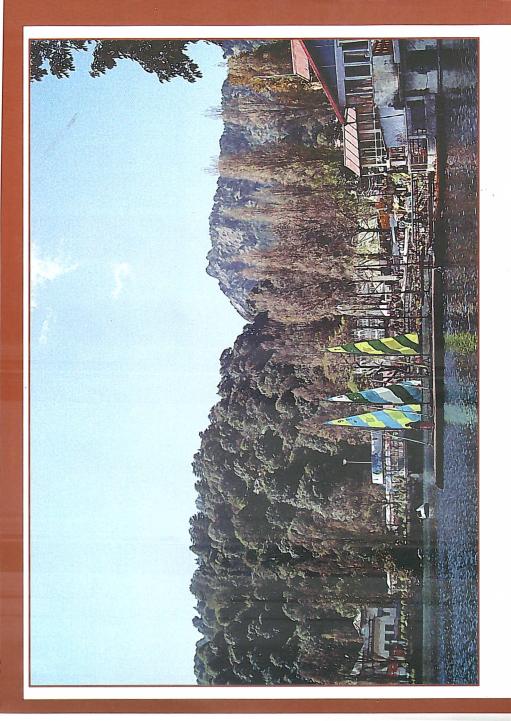
#### **EDITORIAL BOARD**

Hon'ble Mr. Justice Sudhanshu Dhulia Hon'ble Mr. Justice Alok Singh Hon'ble Mr. Justice U. C. Dhyani

#### COMPILED BY

Narendra Dutt, Registrar General, High Court of Uttarakhand

A quarterly newsletter published by High Court of Uttarakhand, Nainital Also available on our website: www.highcourtofuttarakhand.gov.in



# **CONTENTS**

| <ul> <li>Hon'ble Judges of Uttarakhand High Court</li> </ul>                      | 4      |
|---|--------|
| <ul> <li>Transfers of Judicial Officers.</li> </ul>                               | 5      |
| ❖ Circulars & Notifications   | 6-8    |
| $\   \mbox{\Large \   }$ Institution, Disposal & Pendency of cases in High Court. | 9      |
| ❖ Institution, Disposal & Pendency of cases in District Cour                      | ts. 10 |
| ❖ Institution, Disposal & Pendency of cases in Family Cour                        | ts 11  |
| Some Recent Judgments of Uttarakhand High Court.                                  | 12-17  |
| <ul> <li>Major Events and Initiatives at High Court.</li> </ul>                   | 18     |
| ❖ Programmes attended by Hon'ble Judges   | 18     |
| ❖ Activities of State Legal Services Authority (SLSA)                             | 19-23  |
| Major Activities of IIIAI A   | 24     |

## **UTTARAKHAND HIGH COURT**

## LIST OF JUDGES (As on 30th September, 2017)

| L. 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          |
| 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          |

1

# **Transfer of Judicial Officers**

| S.No. | Name & Designation of the Officer   | Place of Transfer   | Date of Order |
|-------|---|---|---------------|
| 1     | Sri Dinesh Prasad Gairola<br>Dist. & Sessions Judge, Hardwar  | Dist. & Sessions Judge,<br>Uttarkashi   | 03.08.17      |
| 2     | Sri Rajendra Singh<br>Presiding Officer, Labour Court, Hardwar  | Dist. & Sessions Judge,<br>Hardwar  | 03.08.17      |
| 3     | Sri G.S. Dharamshatu<br>Dist. & Sessions Judge, Uttarkashi  | Presiding Officer, Labour<br>Court, Hardwar                                     | 03.08.17      |
| 4     | Smt Anjushree Juyal<br>Registrar, State Consumer Disputes<br>Redressal Commission, Uttarakhand,<br>Dehradun | Addl. Charge of Registrar,<br>Public Service Tribunal,<br>Uttarakhand, Dehradun | 03.08.17      |

#### Circulars



From:

Registrar General,

High Court of Uttarakhand,

Nainital.

To.

All the District Judges, Subordinate to High Court of Uttarakhand,

2. Principal Secretary Law-cum-L.R., Government of Uttarakhand, Dehradun.

3. Principal Secretary Legislative & Parliamentary Affairs, Government of Uttarakhand,

4. Director, Uttarakhand Judicial And Legal Academy, Bhowali, Distt, Nainital,

Chairman, Commercial Tax Tribunal, F-6, Nehru Colony, Hardwar Road, Dehradun.

6. Chairman, State Transport Appellate Tribunal, 3/5 A, Race Course, Near Rinku Medicose,

Secretary, Lokayukt, 3/3, Industrial Area, Patel Nagar, Dehradun.

8. Principal Judge, Family Court, Dehradun and Judges, Family Court of Hardwar, Nainital. Pauri Garhwal, Tehri Garhwal, Kotdwar, Vikasnagar, Almora and Udham Singh Nagar.

9. Registrar, State Consumer Disputes Redressal Commission, Uttarakhand, House No. 176, Ajabpur Kalan, Near Spring Hills School, Mothrowala Road, Dehradun, 248415.

10. Member-Secretary, Uttarakhand State Legal Services Authority, Nainital.

11. Presiding Officer, Industrial Tribunal-cum-Labour Court, Haldwani, Distt. Nainital.

12. Presiding Officer, Labour Courts, Dehradun, Hardwar and Kashipur, Distt. Udham Singh Nagar.

13. Registrar, Public Service Tribunal, Uttarakhand, Dehradun.

14. Chairman, Uttarakhand Co-operative Tribunal, Dehradun.

15. Registrar-cum-Secretary, State Level Police Complaint Authority, Dehradun.

C.L. No. 03 /UHC/Admin.A/2017 Dated: July 03, 2017.

Subject:

Nomination of Administrative Judge(s).

Sir.

In supersession of earlier Circular Letters on the subject noted above, I have to inform that Hon'ble the Chief Justice is pleased to nominate the following Hon'ble Judges as the Administrative Judge Incharge of the District(s) shown against their names in the list given below with immediate effect.

> 1. Hon'ble Mr. Justice Rajiv Sharma

- Dehradun and Uttarkashi

2 Hon'ble Mr. Justice V.K. Bist 3 Hon'ble Mr. Justice Sudhanshu Dhulia - Hardwar and Almora

4. Hon'ble Mr. Justice Alok Singh - Udham Singh Nagar and Champawat

5. Hon'ble Mr. Justice S.K. Gupta - Nainital

- Pauri Garhwal & Bageshwar - Tehri Garhwal

6. Hon'ble Mr. Justice U.C. Dhyani 7. Hon'ble Mr. Justice Lok Pal Singh

- Chamoli

8. Hon'ble Mr. Justice Manoj Kumar Tiwari - Rudraprayag

Hon'ble Mr. Justice Sharad Kumar Sharma - Pithoragarh 9.

# HIGH COURT OF UTTARAKHAND NAINITAL NOTIFICATION

No. 219 /UHC/Admin.A/2017

Dated: September 13, 2017.

In exercise of powers conferred U/S 11(3) of the Code of Criminal Procedure, 1973, following Judicial Officers of the rank of Civil Judge (Jr. Div.) are conferred with the powers of Judicial Magistrate 1<sup>st</sup> Class to exercise these powers within the district where they remain posted:

| SI. No.  | Name                    |
|----------|-------------------------|
| 1.       | Ms. Bushra Kamal        |
| 2.<br>3. | Sri Sachin Kumar        |
| 3.       | Sri Ramesh Chandra      |
| 4.       | Ms. Meenakshi Sharma    |
| 5.       | Ms. Ashalika Pandey     |
| 6.       | Ms. Bharti Manglani     |
| 7.       | Sri Vishal Vashisht     |
| 8.       | Ms. Aiswarya Bora       |
| 9.       | Ms. Parul Thapliyal     |
| 10.      | Sri Amit Bhatt          |
| 11.      | Ms. Chandreshwari Singh |
| 12.      | Sri Rajendra Kumar      |
| 13.      | Ms. Soniya              |
| 14.      | Ms. Krishtika Gunjiyal  |
| 15.      | Ms. Kalpana             |
| 16.      | Sri Rajnish Mohan       |
| 17.      | Sri Puneet Kumar        |
| 18.      | Sri Prakash Chandra     |

By Order of the Court

# HIGH COURT OF UTTARAKHAND NAINITAL NOTIFICATION

No. 220 /UHC/Admin.A/2017

Dated: September 13, 2017.

In exercise of powers conferred by Sub Section (2) of Section 19 of the Bengal, Agra, and Assam Civil Courts Act, 1887 (Act No. XII of 1887) [also applicable to the State of Uttarakhand] read with government of Uttarakhand Notification No. 420-Ek (1)/XXXVI (1)/ Nyay Anubhag/2005 dated 07.11.2005, the High Court is pleased to direct that the following 18 Civil Judges (Jr.Div.), posted in the State of Uttarakhand, shall have jurisdiction to try Civil Suits of pecuniary value not exceeding ₹ 1.00 Lac.

| SI. No.  | Name                    |
|----------|-------------------------|
| 1.       | Ms. Bushra Kamal        |
| 2.       | Sri Sachin Kumar        |
| 2.<br>3. | Sri Ramesh Chandra      |
| 4.       | Ms. Meenakshi Sharma    |
| 5.       | Ms. Ashalika Pandey     |
| 6.       | Ms. Bharti Manglani     |
| 7.       | Sri Vishal Vashisht     |
| 8.       | Ms. Aiswarya Bora       |
| 9.       | Ms. Parul Thapliyal     |
| 10.      | Sri Amit Bhatt          |
| 11.      | Ms. Chandreshwari Singh |
| 12.      | Sri Rajendra Kumar      |
| 13.      | Ms. Soniya              |
| 14.      | Ms. Krishtika Gunjiyal  |
| 15.      | Ms. Kalpana             |
| 16.      | Sri Rajnish Mohan       |
| 17.      | Sri Puneet Kumar        |
| 18.      | Sri Prakash Chandra     |

By Order of the Court,

## **INSTITUTION, DISPOSAL AND PENDENCY OF CASES**

### > HIGH COURT OF UTTARAKHAND (from 01.07.2017 to 30.09.2017)

|                  |                      |                   |   |  | Pendency<br>(As on 01.07.2017)   |  | 2017)   |
|------------------|----------------------|-------------------|---|--|--|--|---|
|                  |                      |                   |   |  | Civil<br>Cases   | Criminal<br>Cases  | Total<br>Pendency                                 |
|                  |                      |                   |   |  | 21705  | 9392   | 31097   |
| stitution        | 1                    |                   | Disposal  |  |  | Pendency   |   |
| 7 to 30.         | 09.2017)             | (01.07.2          | 2017 to 30.0  | 9.2017)  | (As  | on 30.09.2   | 017)  |
| riminal<br>Cases | Total<br>Institution | Civil<br>Cases    | Criminal<br>Cases   | Total<br>Disposal  | Civil<br>Cases   | Criminal<br>Cases  | Total<br>Pendency<br>at the end<br>of<br>30.09.17 |
| 2277             | 5912                 | 4848              | 2415  | 7263   | 20492  | 9254   | 29746   |
| 1                | 7 to 30.             | Cases Institution | 7 to 30.09.2017) (01.07.2  riminal Total Civil Cases  Institution Cases | 7 to 30.09.2017) (01.07.2017 to 30.0 riminal Cases Institution Cases Cases | 7 to 30.09.2017) (01.07.2017 to 30.09.2017)  riminal Total Civil Criminal Total Cases Cases Disposal | stitution Disposal (01.07.2017 to 30.09.2017) (As riminal Cases Institution Cases Cases Disposal Cases | 21705   9392                                      |

# District Courts (From 01.07.2017 to 30.09.2017)

| SL.<br>No | Name of the<br>District |   | Civil Cases                                    |  | Criminal Cases                           |   |  |   | Total<br>Pendency<br>at the end<br>of<br>30.09.17 |        |
|-----------|-------------------------|---|--|--|--|---|--|---|---|--------|
|           |                         | Opening<br>Balance as<br>on<br>01.07.17 | Institution<br>from<br>01.07.17 to<br>30.09.17 | Disposal<br>from<br>01.07.17<br>to<br>30.09.17 | Pendency<br>at the end<br>of<br>30.09.17 | Opening<br>Balance<br>as on<br>01.07.17 | Institution<br>from<br>01.07.17 to<br>30.09.17 | Disposa<br>1 from<br>01.07.17<br>to<br>30.09.17 | Pendency<br>at the end<br>of<br>30.09.17          |        |
| 1.        | Almora                  | 313                                     | 139  | 155  | 297                                      | 745                                     | 507  | 559   | 693   | 990    |
| 2.        | Bageshwar               | 132                                     | 60   | 76   | 116                                      | 410                                     | 311  | 335   | 386   | 502    |
| 3.        | Chamoli                 | 281                                     | . 82   | 86   | 277                                      | 778                                     | 488  | 538   | 728   | 1005   |
| 4.        | Champawat               | 153                                     | 46   | 55   | 144                                      | 963                                     | 1098   | 1081  | 980   | 1124   |
| 5.        | Dehradun                | 11987                                   | 3469   | 3666   | 11790                                    | 89370                                   | 27260  | 25996   | 90634   | 102424 |
| 6.        | Haridwar                | 10155                                   | 2206   | 2257   | 10104                                    | 38423                                   | 10543  | 8816  | 40150   | 50254  |
| 7.        | Nainital                | 2401                                    | 427  | 541  | 2287                                     | 10101                                   | 4188   | 3926  | 10363   | 12650  |
| 8.        | Pauri Garhwal           | 1034                                    | 256  | 311  | 979                                      | 3279                                    | 1321   | 1275  | 3325  | 4304   |
| 9.        | Pithoragarh             | 373                                     | 92   | 112  | 353                                      | 1086                                    | 1599   | 1326  | 1359  | 1712   |
| 10.       | Rudraprayag             | 143                                     | 33   | 42   | 134                                      | 1583                                    | 1073   | 1245  | 1411  | 1545   |
| 11.       | Tehri Garhwal           | 316                                     | 102  | 117  | 301                                      | 1536                                    | 590  | 663   | 1463  | 1764   |
| 12.       | U.S.Nagar               | 5588                                    | 1326   | 1390   | 5524                                     | 27000                                   | 9175   | 5812  | 30363   | 35887  |
| 13.       | Uttarkashi              | 378                                     | 112  | 106  | 384                                      | 973                                     | 609  | 648   | 934   | 1318   |
|           | Total                   | 33254                                   | 8350   | 8914   | 32690                                    | 176247                                  | 58762  | 52220   | 182789  | 215479 |

July to Sept. 2017

## Family Courts (From 01.07.2017 to 30.09.2017)

| SL. | Name of the   |   |  |  |                                       |   |  |  | -  | Total                                    |
|-----|---------------|---|--|--|---------------------------------------|---|--|--|--|--|
| No  | Family Court  |   | Civil Cases                                    |  |                                       | Criminal Cases                          |  |  |  | Pendency<br>at the end<br>of<br>30.09.17 |
|     |               | Opening<br>Balance<br>as on<br>01.07.17 | Institution<br>from<br>01.07.17 to<br>30.09.17 | Disposal<br>from<br>01.07.17<br>to<br>30.09.17 | Pendency<br>at the end<br>of 30.09.17 | Opening<br>Balance<br>as on<br>01.07.17 | Institution<br>from<br>01.07.17 to<br>30.09.17 | Disposal<br>from<br>01.07.17<br>to<br>30.09.17 | Pendency<br>at the end<br>of<br>30.09.17 |  |
| 1.  | Almora        | 76                                      | 56   | 71   | 61                                    | 79                                      | 49   | 72   | 56                                       | 117                                      |
| 2.  | Dehradun      | 1602                                    | 609  | 486  | 1725                                  | 803                                     | 292  | 215  | 880                                      | 2605                                     |
| 3.  | Rishikesh     | 183                                     | 55   | 48   | 190                                   | 158                                     | 51   | 37   | 172                                      | 362                                      |
| 4.  | Vikas Nagar   | 111                                     | 44   | 36   | 119                                   | 112                                     | 41   | 34   | 119                                      | 238                                      |
| 5.  | Nainital      | 518                                     | 107  | 120  | 505                                   | 826                                     | 130  | 139  | 817                                      | 1322                                     |
| 6.  | Haridwar      | 690                                     | 211  | 220  | 681                                   | 551                                     | 149  | 150  | 550                                      | 1231                                     |
| 7.  | Roorkee       | 457                                     | 169  | 166  | 460                                   | 512                                     | 112  | 120  | 504                                      | 964                                      |
| 8.  | Pauri Garhwal | 72                                      | 20   | 21   | 71                                    | 91                                      | 25   | 39   | 77                                       | 148                                      |
| 9.  | Kotdwar       | 174                                     | 51   | 37   | 188                                   | 231                                     | 32   | 32   | 231                                      | 419                                      |
| 10. | Tehri Garhwal | 102                                     | 38   | 59   | 81                                    | 45                                      | 14   | 21   | 38                                       | 119                                      |
| 11. | U.S. Nagar    | 817                                     | 269  | 285  | 801                                   | 894                                     | 155  | 192  | 857                                      | 1658                                     |
|     | TOTAL         | 4726                                    | 1573   | 1478   | 4882                                  | 4223                                    | 1001   | 979  | 4245                                     | 9066                                     |

### Some Recent Judgments of Uttarakhand High Court

#### **Division Bench Judgments**

- 1. In Spl. Application No. 426 of 2017 State of Uttarakhand Vs. Ram Das decided on 17.07.2017, the bench observed that in view of Rules 6 of Uttaranchal Government Servant Resignation Rules, 2003, the service of the Govt. Servant shall not be terminated unless the request of resignation is accepted and on such acceptance, the service shall stand terminated with effect from the date of issue of order of acceptance or from such future date as mentioned in the order of acceptance.
- In Special Appeal No. 417 of 2013, Laxaman Singh Rautela & Others Vs. State of Uttarakhand & others, with special application no. 581 of 2015 decided on 27.07.2017, the bench observed that the statutory Rule can not be called in question on the basis that it deprived a person of his legitimate expectation.
- 3. In Cri. Application No. 32 of 2016, Bhagwan Singh Vs. State decided on 14.07.2017, the bench observed that the incident was not a pre-meditated or pre-planned fight, but it was the case of sudden and grave provocation, the accused was not armed with deadly weapon and the accused had no intention to kill the deceased, but he definitely had the knowledge that the injuries inflicted upon the deceased with stones would result in his death and therefore, the appellant/accused was liable to be convicted u/s 304 Part-II I.P.C. and not under section 302 I.P.C.
- 4. In Criminal Jail Appeal No. 09/2011 Darvan Singh Vs. State of Uttarakhand decided on 10.07.2017, the bench observed that the accused alone was living with his wife at the time of her death and it was for the accused to explain the injuries found on the person of the deceased and the circumstances, under which, she died in his house and that, the failure of the accused to explain the same, coupled with other evidence, was a grave circumstance mitigating him.
- 5. In A.O. No. 625 of 2016, Sonal Vs. Deepak Khanna & another decided on 13.07.2017, the bench held that the proceedings for custody of child u/s 23 of the Protection of Women from Domestic Violence Act are interim measures and the main object Protection of Women from Domestic

Violence Act is to protect the rights of women, while the Guardians & Wards Act ensures protection and welfare of the child and that, the pendency of application u/s 23 of Protection of Women from Domestic Violence Act, could not bear embargo for considering the application u/s 10 read with Section 25 of the Guardians and Wards Act.

- 6. In W.P. (Criminal) No. 303 of 2017, Mohd. Yameen Vs. Union of India & Others, decided on 19.09.2017, the bench observed that the High Court has power of transferring the investigation from Civil Police to C.B.I., but the High Court, while passing such order must bear in mind that such power must be exercised sparingly, cautiously and in exceptional situations.
- 7. In Criminal Appeal No. 91 of 2011, Jasveer & another Vs. State of Uttarakhand & others decided on 10.07.2017, the bench observed that the burden to prove the plea of alibi is upon the accused. The accused can prove the plea of alibi by leading evidence during trial. Strict proof is required for establishing the plea of alibi. The plea of alibi taken by the accused needs to considered only when the burden, which lies on the prosecution, has been discharged satisfactorily.
- 8. In Govt. Appeal No. 30 of 2011, State of Uttarakhand Vs. Shamsher Ali & others decided on 10.07.2017, the bench observed that the identification parade should be held immediately after arrest. During test identification parade, accused were required to be mixed up with the remaining persons, endeavour should be made to ensure that built and clothes of the accused persons and other person should be the same and the detailed procedure laid down in Para 443 of the U.P. Jail Manual (as applicable in Uttarakhand) and Rule 61 of General Rule (Criminal) should be followed. The delay in conducting test identification parade and keeping the accused unmasked may create possibility of the accused having been shown to the witnesses and different clothes and built of persons in identification parade makes it easy for witnesses to identify the accused.
- 9. In F.A. No. 34 of 2016, Smt. Richa Vs. Amit Rawat decided on 18.07.2017, the bench observed that the order passed u/s 24 of Hindu Marriage Act is an interlocutory and appeal against the same is not maintainable u/s 19 of Family Courts Act, leaving it open to the appellant to seek an appropriate remedy, if so advised, before the appropriate forum and under the appropriate

- I) Whether the amendment sought is imperative for proper & effective adjudication of case,
- II) Whether the application for amendment is bonafide or malafide,
- III) The amendment should not cause such prejudice to the other side which can not be compensated adequately in terms of money,
- IV) Refusing amendment would in fact lead to injustice or lead to multiplicity of litigations,
- Whether the proposed amendment constitutionally or fundamentally changes the nature and character of case,
- VI) As a General Rule, the court should decline amendments if a fresh suit on the amended claims would be barred by limitation on the date of application.
- 6. In W.P. No. 1051/2006 (M/S) Paswara Electronics Pvt. Ltd. Vs State of Uttarakhand & others decided on 26.07.17, the bench observed that the stamp duty in relation to an immovable property is always determined on the basis of status of the land, as prevailing on the date of execution of the sale deed and same can not be revised at a later stage, merely because the Collector has revised the circle rates by virtue of subsequent notification.
- 7. In W.P. No. 1790/2006 (M/S), Chaman Lal Vs District Judge, Haridwar & Others, decided on 20.07.17, the bench held that the society can never be treated as a trust, so far as the U.P. Act XIII of 1972 is concerned and the term 'society' can not be interpreted as a trust u/s 2(bb) and Section 2 (f) of the Act. If the plaintiff does not discharged his responsibility to show that at the time of institution of suit, the institution is continuing to be involved in public charitable society, he is not entitled for the benefit of exemption u/s 2 (bb) of the Act.
- 8. In Civil Revision No. 20/2014 M/s Rameshwar Prasad Maneshwar Prasad Vs Mohan Singh Panwar & Others decided on 25.08.2017, the bench observed that the District Judge is persona designate under the Arbitration and Conciliation Act 1996, and an execution application for executing an arbitral award can be filed only in the court of District Judge and in view of Section 42 of the Act, the District Judge has no jurisdiction to transfer the same to the court of Additional District Judge, which has no jurisdiction to execute the award.

9. In W.P. No 400/2004 (M/S) State Vs Chief Controller of Revenue & others decided on 04.09.17, the bench observed that non disclosure of material facts amounts to suppression of these facts. Disclosure of all the facts is necessary for invoking the jurisdiction of constitutional courts and its concealment will result in dismissal of proceedings. It is further observed that the state can not be kept at different pedestal as compared to that of a common litigant, rather, when the state is facing the proceedings in writ jurisdiction before any court of law, at least, it is expected from the state and its agencies to fair to the court, while raising the pleadings.

### Major Events & Initiatives

 Independence Day Celebration: On 15<sup>th</sup> August, 2017, Independence Day was celebrated in High Court premises with great enthusiasm. On this occasion, national flag was hoisted by Justice Rajiv Sharma, Senior Judge. Justice Sudhanshu Dhulia, Justice Alok Singh, Justice S.K.Gupta, Justice U.C.Dhyani, Justice Lokpal Singh, Justice Manoj Kumar Tiwari, Justice Sharad Kumar Sharma graced the occasion. Officers, Officials of Registry, Advocates were also present to mark the occasion.

#### Programmes attended by Hon'ble Judges (From July-September, 2017)

- Hon'ble Mr Justice K.M.Joseph, the Chief Justice, visited New Delhi to attend the "Meeting of Hon'ble Chief Justice of India with Hon'ble Chief Justices of High Courts" on 22.07.2017.
- Hon'ble Mr Justice V.K. Bist visited Bengaluru to attend "National Launch of the report of the Regional Conference on the effective implementation of the Juvenile Justice Act, 2015 on 05.08.17.
- Hon'ble Mr Justice Lokpal Singh & Hon'ble Mr Justice Manoj Kumar Tiwari visited National Judicial Academy, Bhopal to attend "National Judicial Conference for newly elevated High Court Justices on Public Law" from 15.09.17 to 17.09.17.

#### ACTIVITIES OF SLSA FOR THE MONTHS OF JULY TO SEPTEMBER, 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, two National Lok Adalats were 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 08.07.2007 and 09.09.2017 respectively. In the said National Lok Adalats, 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 these National Lok Adalats, total number of **26,299** cases were listed and out of them **6,760** cases were settled amicably. Amount to the tune of **Rs. 31,89,90,636**/- was also settled.

#### LEGAL LITERACY AND AWARENESS DRIVE AT STATE LEVEL

In order to propagate legal awareness and to make the people aware about the legal aid services and activities being run by the legal services institutions, the Uttarakhand State Legal Services Authority put up a stall during the 'Harela Fair' at Bhimtal, District-Nainital from 16.07.2017 to 21.07.2017. The Member Secretary as well as Officer on Special Duty, Uttarakhand State Legal Services Authority sensitised the common people about the schemes and activities of legal services institutions with the help of PLVs and Panel Advocates. Total 699 persons visited the stall and got benefited. Also, 13740 booklets of Saral Kanooni Gyan Mala series were also distributed to the people.

On the occasion of Nandastami Mela, the Uttarakhand State Legal Services Authority in coordination with District Legal Services Authority installed a stall at Flat Ground, Nainital from 27.08.2017 to 01.09.2017. People visiting the stall were informed about the importance of common laws relating to their day-to-day life and their legal rights and duties. A total number of 886 persons were benefited and 26580 booklets on various subjects of law were distributed. Documentary films relating to various laws and paintings covering NALSA schemes were also displayed.

#### LEGAL AWARENESS CAMPAIGN THROUGH MOBILE VAN

So as to provide legal aid and advice at the 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 July, 2017 to September, 2017 State Legal Services Authority's mobile van visited District-Pauri Garhwal covering 15 villages whereby 1224 persons were benefited.

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 July, 2017 to September, 2017, the World Population Day, World Hepatitis Day and International Literacy Day were observed throughout the State. During these occasions, 85 special legal literacy and awareness camps were organized wherein 6,836 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 JULY, 2017 TO SEPTEMBER, 2017

| S. No. | Name of DLSA's | No. of<br>Lok<br>Adalats<br>Held | No. of<br>Cases<br>Taken up | No. of<br>Cases<br>Disposed<br>off | Compensation/<br>Settlement<br>Amount | Amount<br>Realized As<br>Fine (in Rs.) | No. of<br>Persons<br>Benefited in<br>Lok Adalat |
|--------|----------------|----------------------------------|-----------------------------|------------------------------------|---------------------------------------|--|---|
| 01     | ALMORA         | 02                               | 1474                        | 325                                | 1,61,17,592                           | 1,55,400                               | 325   |
| 02     | BAGESHWER      | 05                               | 421                         | 153                                | 1,48,12,790                           | 1,63,250                               | 153   |
| 03     | CHAMOLI        | 02                               | 331                         | 137                                | 1,39,18,004                           | 68,000                                 | 137   |
| 04     | CHAMPAWAT      | 02                               | 272                         | 108                                | 9,85,927                              | 1,34,250                               | 108   |
| 05     | DEHRADUN       | 05                               | 20325                       | 8450                               | 4,82,37,857                           | 40,10,669                              | 8581  |
| 06     | HARDWAR        | 02                               | 8838                        | 1791                               | 3,66,27,886                           | 10,35,843                              | 1791  |
| 07     | NAINITAL       | 03                               | 4614                        | 637                                | 1,99,24,704                           | 10,02,050                              | 637   |
| 08     | PAURI GARHWAL  | 02                               | 692                         | 400                                | 1,51,05,634                           | 3,18,950                               | 400   |
| 09     | PITHORAGARH    | 05                               | 1179                        | 264                                | 51,45,260                             | 2,30,200                               | 295   |
| 10     | RUDRAPARYAG    | 02                               | 312                         | 70                                 | 53,29,611                             | -                                      | 70  |
| 11     | TEHRI GARHWAL  | 02                               | 390                         | 147                                | 1,83,18,958                           | 1,17,100                               | 147   |
| 12     | U.S. NAGAR     | 02                               | 3184                        | 1033                               | 9,21,90,478                           | 6,33,950                               | 1033  |
| 13     | UTTARKASHI     | 02                               | 528                         | 172                                | 89,92,864                             | 23,100                                 | 172   |
| 14     | Helse, Ntl     | 02                               | 684                         | 59                                 | 2,78,80,841                           | -                                      | 59  |
|        | TOTAL :-       | 38                               | 43244                       | 13746                              | 32,35,88,406                          | 78,92,762                              | 13908   |

# STATEMENT SHOWING THE PROGRESS OF CAMPS ORGANIZED IN THE STATE OF UTTARAKHAND FOR THE PERIOD FROM JULY, 2017 TO SEPTEMBER, 2017

| S. No. | Name of DLSA's | No. of Camps<br>Organized | No. of Persons<br>Benefited in Camps |
|--------|----------------|---------------------------|--------------------------------------|
| 01     | ALMORA         | 47                        | 8251                                 |
| 02     | BAGESHWER      | 40                        | 2130                                 |
| 03     | CHAMOLI        | 314                       | 13321                                |
| 04     | CHAMPAWAT      | 17                        | 2102                                 |
| 05     | DEHRADUN       | 62                        | 3341                                 |
| 06     | HARDWAR        | 40                        | 4258                                 |
| 07     | NAINITAL       | 191                       | 8982                                 |
| 08     | PAURI GARHWAL  | 125                       | 9008                                 |
| 09     | PITHORAGARH    | 28                        | 3745                                 |
| 10     | RUDRAPARYAG    | 12                        | 2604                                 |
| 11     | TEHRI GARHWAL  | 32                        | 2414                                 |
| 12     | U.S. NAGAR     | 2987                      | 85880                                |
| 13     | UTTARKASHI     | 20                        | 2135                                 |
| 14     | UKSLSA         | 02                        | 1585                                 |
|        | TOTAL :-       | 3917                      | 149756                               |

# STATEMENT SHOWING THE PROGRESS OF LEGAL AID AND ADVICE/COUNSELING PROVIDED IN THE STATE OF UTTARAKHAND FOR THE PERIOD FROM JULY, 2017 TO SEPTEMBER, 2017

| S. No. | Name of DLSA's        | No. of Persons Benefited through Legal Aid &<br>Advice |                             |  |  |  |
|--------|-----------------------|--|-----------------------------|--|--|--|
|        |                       | Legal Aid  | Legal Advice/<br>Counseling |  |  |  |
| 01     | ALMORA                | 24   | 08                          |  |  |  |
| 02     | BAGESHWER             | 05   | -                           |  |  |  |
| 03     | CHAMOLI               | 12   | 09                          |  |  |  |
| 04     | CHAMPAWAT             | 03   | -                           |  |  |  |
| 05     | DEHRADUN              | 120  | 02                          |  |  |  |
| 06     | HARDWAR               | 67   | 05                          |  |  |  |
| 07     | NAINITAL              | 40   | 01                          |  |  |  |
| 08     | PAURI GARHWAL         | 21   | 62                          |  |  |  |
| 09     | PITHORAGARH           | 07   | 03                          |  |  |  |
| 10     | RUDRAPARYAG           | -  | -                           |  |  |  |
| 11     | TEHRI GARHWAL         | 16   | 10                          |  |  |  |
| 12     | U.S. NAGAR            | 89   | 51                          |  |  |  |
| 13     | UTTARKASHI            | 06   | 03                          |  |  |  |
| 14     | H.C.L.S.C., N.T.L.    | 52   |                             |  |  |  |
| 15     | U.K. S.L.S.A., N.T.L. | -  | 26                          |  |  |  |
|        | TOTAL :-              | 462  | 180                         |  |  |  |

#### UTTARAKHAND JUDICIAL AND LEGAL ACADEMY, BHOWALI, NAINITAL

# Training Programmes held in the month of July, August and September, 2017:-

| S.<br>No. | Name of Training Programmes/ Workshops   | Duration   |
|-----------|--|--|
| 1.        | Foundation Training Programme for Newly Recruited Civil Judges (J.D.) 2014 Batch (Including Uttarakhand Darshan Programme)  (3 <sup>rd</sup> phase of Institutional Training)  | 04 June, 2017 to<br>08 September, 2017   |
| 2.        | Workshop on emerging trends and recent developments in Civil Laws for Civil Judges (Sr. Div. & Jr. Div.)  (1st phase)  | 03 July to 07 July, 2017<br>(Monday to Friday)<br>(for five days)              |
| 3.        | Workshop on emerging trends and recent developments in<br>Criminal Laws for CJM's/Judicial Magistrates<br>(2 <sup>nd</sup> phase)  | 01 August to<br>05 August, 2017<br>(Monday to Friday)<br>(for five days)       |
| 4.        | Sensitization Workshop on "Animal Protection Laws and<br>Animal Welfare Laws" for officers in the Cadre of<br>CJMs/ACJMs/JMs<br>(Sponsored & Financed by Animal Welfare Board of<br>Uttarakhand, Dehradun)<br>(1st phase)  | 25 & 26 August, 2017<br>(Friday & Saturday)<br>(for two days)                  |
| 5.        | 40 hrs (five days) Mediation<br>Training Programme for<br>Civil Judges (J.D.) 2014 Batch   | 11 September to<br>15 September, 2017<br>(Monday to Friday)<br>(for five days) |
| 6.        | Sensitization Workshop on "Animal Protection Laws and<br>Animal Welfare Laws" for officers in the Cadre of<br>CJMs/ACJMs/JMs and Civil Judges (Sr. Div./Jr. Div.)<br>(Sponsored & Financed by Animal Welfare Board of<br>Uttarakhand, Dehradun)<br>(2 <sup>nd</sup> phase) | 15 & 16 September, 2017<br>(Friday & Saturday)<br>(for two days)               |
| 7.        | Training Programme on UBUNTU Operating System for<br>Judicial Officers cum Master Trainers   | 18 & 19 September, 2017<br>(Monday & Tuesday)<br>(for two days)                |



Hon'ble Mr Justice Rajiv Sharma, Senior Judge hoisting the national flag on 15th August, 2017 on the eve of Independence Day



Hon'ble the Chief Justice along with Hon'ble Judges of High Court of Uttarakhand on the occasion of the valedictory function of the foundation training programme of Civil Judges (Junior Division), 2014 Batch



Workshop on Animal Protection Laws & Animal Welfare Laws from 25-26 August 2017 (1st Phase)



Workshop on Animal Protection Laws & Animal Welfare Laws from 25-26 August 2017 ( 2<sup>nd</sup> Phase)



40 hours Mediation Training Programme for Civil Judges (J.D) 2014 Batch from 11-15 September 2017



Foundation Training Programme for Civil Judges (J.D.) 2014 Batch (3<sup>rd</sup> Phase of Institutional Training)



Training Programme on UBUNTU Operating System for Judicial Officers cum Master Trainers from 18-19 September 2017



Workshop on emerging trends and recent developments in Criminal Laws for CJMs/JM from 03-07 July,2017 (2nd Phase)