

ATMAN

(A Biannual News Bulletin of the Gauhati High Court)

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(The High Court of Assam, Nagaland, Mizoram and Arunachal Pradesh)

Guwahati ::: Fifth Year ::: 9th Issue ::: September, 2013

Events organized during May, 2013 to September, 2013

- * Justice G.S. Singhvi, Judge, Supreme Court inaugurating the Induction Training Programme at Guwahati on 18.05.2013
- * Swearing-in ceremony of Justice Nishitendu Chaudhury, Justice Lanusungkum Jamir and Justice M. R. Pathak
- * Farewell reference of Justice P.K. Mushahary on 30.05.2013
- * Justice J. S. Khehar, Judge, Supreme Court in Assam Judicial Academy on 03.06.2013
- * Dr. Justice B. S. Chauhan and Dr. Justice M. K. Sharma in the Assam Judicial Academy on 11.06.2013
- * Legal awareness programme at Aizawl Club, Mizoram on 03.06.2013
- * Bringing Justice at the doorstep - A Seminar at Parish Hall, Kolasib, Mizoram on 06.06.2013
- * The Governor of Nagaland, Dr. Ashwani Kumar in the Assam Judicial Academy
- * Inauguration of new High Court Building on 17.08.2013 by Chief Justice P. Sathasivam
- * East Zone Judicial Conference by National Judicial Academy and Gauhati High Court from 30th August to 1st September, 2013 at Guwahati
- * Farewell reference of Justice A. C. Upadhyay on 27.07.2013
- * Inauguration of SDJM Court Building at Sarupathar on 07.09.2013
- * Training of Public Prosecutors of Kamrup, Darrang, Udalguri, Nalbari and Morigaon by the Assam Judicial Academy on 15.09.2013
- * Regional Training Programme of the Judicial Officers of Mizoram at Aizawl on 27.09.2013 & 28.09.2013.

From the Chief Justice



The new issue of ATMAN is ready. The Editor Justice Hrishikesh Roy has compiled all the important events - Induction Training Programme, Swearing-in-ceremony of Judges, Farewell of Judges, who have retired, visit of Hon'ble Chief Justice of India, and other Hon'ble Judges of the Supreme Court for inauguration of new block of the High Court Building and visit of Hon'ble Supreme Court Judges and dignitaries to the Judicial Academy, the East Zone Judicial Conference by the National Judicial Academy and Gauhati High Court, inauguration of SDJM Court Building at Sarupathar and Training of Public Prosecutors. I am sure the new issue will be found to be informative and useful by all concerned.

Justice Adarsh Kumar Goel

Editor speaks

A new High Court building at Guwahati was inaugurated by the Chief Justice of India P. Sathasivam on 17th August 2013 and the stakeholders are expecting the justice delivery system to perform better with the improved infrastructure. While a



modern court building by itself can't ensure miraculous improvement it can certainly provide a conducive environment for those inside the new building to realise their full potential. As the wiseman says, to achieve higher standards one needn't necessarily be better than everybody else but what is important is to be better than one ever thought one could be. ATMAN agrees.

Justice Hrishikesh Roy

INAUGURATION OF INDUCTION TRAINING PROGRAMME ON 18TH MAY, 2013 AT ASSAM JUDICIAL ACADEMY IN ASSOCIATION WITH NEJOTI AT ASSAM ADMINISTRATIVE STAFF COLLEGE



Justice G.S. Singhvi, Judge, Supreme Court of India addressing the officers



Inaugural speech by Justice A.K. Goel, Chief Justice, Gauhati High Court

The first Induction Training Programme of Grade I, II and III Judicial Officers of Assam, Nagaland, Meghalaya, Manipur and Arunachal Pradesh was held at the Assam Administrative Staff College, Khanapara, Guwahati on 18th May, 2013. Justice G.S. Singhvi, Judge, Supreme Court of India addressed the trainees on the role of the Judicial Officers. The trainee Judicial officers also interacted with Justice G. S. Singhvi.



Justice I. A. Ansari addressing the the gathering

Justice Hrishikesh Roy, the Judge In-Charge, Training gave the Welcome Address. Chief Justice Adarsh Kumar Goel, Justice I. A. Ansari also addressed the trainees. Mr. Justice A. C. Upadhyay, the Director (Designate) of the Judicial Academy delivered the vote of thanks.



Welcome Address by Justice Hrishikesh Roy, Judge-in-Charge, Training



Justice A. C. Upadhyay, Director(Designate), while delivering Vote of thanks.

Judicial education is about the transmission of distinctive legal knowledge and the transmission of unique skills. The product of judicial education, the trained judge, the judge who decides according to the law, is a judge in the service of the rule of law.

Justice Beverley McLachlin, Chief Justice of the Supreme Court of Canada

SWEARING-IN CEREMONY OF THREE NEW JUDGES IN GAUHATI HIGH COURT



*Chief Justice administering oath to
Justice Nishitendu Chaudhury*



*Chief Justice A.K. Goel administering
oath to Justice Lanusungkum Jamir*

On 22nd May, 2013 the Judges Strength in the Gauhati High Court increased to 16 with swearing-in of three additional Judges. The new Judges are Justice Nishitendu Chaudhury, Justice Lanusungkum Jamir and Justice Manash Ranjan Pathak.



*Chief Justice A.K. Goel administering oath
to Justice M.R. Pathak*

FULL COURT FAREWELL REFERENCE OF JUSTICE P.K. MUSHAHARY



The Gauhati High Court fraternity bid adieu to Justice P.K. Mushahary on his superannuation with a formal Full Court reference on 30th May, 2013. The judges hosted a dinner for Madam Mushahary and Justice Mushahary.

Independence of the Judiciary is not arbitrary exercise without principles and regulation, but it is under Constitutional control focused in the welfare and the liberty of the people.

Justice V R Krishna Iyer

ADDRESS BY JUSTICE J. S. KHEHAR, JUDGE, SUPREME COURT OF INDIA IN THE ASSAM JUDICIAL ACADEMY ON 3RD JUNE, 2013



Justice J. S. Khehar, Judge, Supreme Court of India addressed the Trainee Judicial Officers on 3rd June, 2013. The erudite judge spoke on the functional aspect of judging and expectation from the judicial officers. The trainee officers had a lively interactive session in the 2nd segment of the programme with Justice Khehar.

ADDRESS BY DR. JUSTICE B.S. CHAUHAN AND DR. JUSTICE M. K. SHARMA IN ASSAM JUDICIAL ACADEMY ON 11TH JUNE, 2013.



Dr. Justice B.S. Chauhan, Judge, Supreme Court of India, addressing the Judicial Officers in the Academy

Dr. Justice M.K. Sharma, a former Judge of the Supreme Court addressed the trainee judicial officers at Guwahati. With his pan India exposure to judicial functioning, Justice Sharma could make a beneficial presentation in the Judicial Academy.

Dr. Justice B. S. Chauhan . Judge, Supreme Court of India at the Assam Judicial Academy, Guwahati, on 11.06.2013. The experienced Judge called upon the new recruits to rise to the challenges of judging cases.



Judges of the Gauhati High Court present during the lecture of Dr. Justice Chauhan

The whole idea of democracy is that each generation is the trustee for the next. Each generation has the obligation to ensure that democracy is stronger for the next generation than it is for our own.

Justice Anthony Kennedy, Associate Judge, Supreme Court of the USA

LEGAL AWARENESS PROGRAMME HELD AT THE CONFERENCE HALL OF AIZAWL CLUB ON 03.06.2013



Justice J.S. Khehar, Judge, Supreme Court attended Legal Awareness Programme at Aizawl Club, Mizoram on 03.06.2013. The programme was also attended by Justice A. K. Goel, Chief Justice, Gauhati High Court, Justice Ujjal Bhuyan, Executive Chairman of Mizoram State Legal Services Authority, Mr. Lalsawta, Minister of Law & Judicial Department, Government of Mizoram. The Members of the Bar, Bench, officials of State Government, PLV, Legal Aid Counsel were benefitted by the deliberation.

Justice J.S. Khehar also attended the Legal Awareness Programme at Kolasib on 06.06.2013 in the Parish Hall. The Chief Justice of Gauhati High Court, Justice A.K. Goel and Justice Ujjal Bhuyan attended the programme. Students, teachers, members of NGO's and general public were empowered through the programme.



LEGAL SERVICES : BRINGING JUSTICE AT THE DOORSTEP A SEMINAR HELD ON 06.06.2013 AT PARISH HALL, KOLASIB, MIZORAM



Justice Ujjal Bhuyan, Executive Chairman, Mizoram State Legal Services Authority



A section of the audience at Parish Hall, Kolasib in the legal awareness programme



Justice Jagdish Singh Kehar, Judge, Supreme Court of India and Chief Justice A.K. Goel of Gauhati High Court; spoke on the topic *Bringing Justice at the Doorstep* at the Parish Hall in Kolasib, Mizoram on 06.06.2013.

VISIT OF GOVERNOR OF NAGALAND IN THE JUDICIAL ACADEMY



Justice Hrishikesh Roy, Judge-in-Charge, Training with introductory speech

In the second segment, there was an interactive session where the trainee Judicial Officers interacted with the Governor.

Justice Hrishikesh Roy, Judge-in-Charge, Training delivered the introductory address and vote of thanks was proposed by the officiating Director of the Assam Judicial Academy.

The Governor of Nagaland Dr. Ashwani Kumar, a former CBI Director spoke on the topic - *Corruption in India and its Management* in the Assam Judicial Academy on 28.06.2013. The Chief Justice of the Gauhati High Court, other Judges, Judicial Officers and members of the Registry were present on the occasion.



Dr. Ashwani Kumar, Governor of Nagaland addressing the Judicial Officers at the Judicial Academy, Assam

Corruption in our country not only poses a grave danger to the concept of constitutional governance, it also threatens the very foundation of Indian democracy and the Rule of Law.

Justice A.K. Ganguly in 2 G Spectrum Case

INAUGURATION OF NEW HIGH COURT BUILDING ON 17.08.2013

The New Gauhati High Court Building was inaugurated by Justice P. Sathasivam, Chief Justice of India on 17.08.2013 in presence of the Chief Minister, Sri Tarun Gogoi, Justice A.K. Patnaik, Justice J. Chelameswar, Justice Ranjan Gogoi, Judges



The Chief Justice P. Sathasivam and other dignitaries in the inaugural function of the new High Court Building.

Supreme Court of India, Justice A.K. Goel, Chief Justice, Gauhati High Court, Sri Pranab Gogoi, Speaker, Assam State Legislative Assembly, Sri T. B. Rai, Law Minister, Assam, Justice I. A. Ansari, Judge, Gauhati High Court, Mr. K. N. Choudhury, President, High Court Bar Association. On this occasion the Chief Justice of India and the Chief Minister of Assam released the Annual Report, 2012 of the Gauhati High Court and the short film "Xanko" the bridge on mediation.



Justice Ranjan Gogoi, Judge, Supreme Court of India, lighting the ceremonial lamp



Justice P. Sathasivam, Chief Justice of India speaking in the inaugural function.



Justice P. Sathasivam, Chief Justice of India and Madam Saraswathi Sathasivam are welcomed with traditional "Japi" & "Gamocha"



Sri Tarun Gogoi, Chief Minister, Assam addressing the gathering



The short film 'XANKO" (The Bridge) on Mediation released by the Chife Justice of India and the Chife Minister of Assam



Justice P. Sathasivam, Chief Justice of India & Sri Tarun Gogoi, Chief Minister, Assam releasing the Annual Report, 2012 of the Gauhati High Court.



Front view - New Court Building



Inside view of Chief Justice's Court

Chorus

বৰ লুইতৰ পাৰৰ
লতাশিল বাকৰিৰ বিপৰীতৰ
উন্মোচিত আজি নৱনিৰ্মিত
ন্যায়ালয় ভৱন

Glorious Gauhati High Court
You stand so tall/high
giving justice to all
you hold the cord of harmony
in the hills of blue
and green valley

ये है न्याय कि धारा
लक्ष्य है हमारा
सबको न्याय दिलाना
हाइकोर्ट हमारा।

সকলোৱে মিলি জুলি
গাওঁ আহা
Glorious Gauhati High Court

Lyrics : Smti Rita Borbora, Sri Tapan Das &
Sri Achyut Ojha
Music : Sri Achyut Ojha

সুৰৰিছোঁ আজি
তোমাৰ গৰিমা
ন্যায় আৰু সমতাৰ
তোমাৰ মহিমা
দেশৰ বাবে নাগৰিকৰ বাবে
Glorious Gauhati High Court



Chorus performed by the Member of the Bar and Staff of the Gauhati High Court in the inaugural function on 17.08.2013.

EAST ZONE JUDICIAL CONFERENCE ON ROLE OF COURTS IN UPHOLDING RULE OF LAW HELD ON 30th AUGUST TO 1st SEPTEMBER, 2013

The East Zone Judicial Conference on the “*Role of Courts in upholding Rule Of Law*” was held at the Administrative Staff College, Khanapara from 30. 08. 2013 to 01.09 2013. All together 94 Judicial Officers from the States of Assam, West Bengal, Chattisgarh, Odisha, Jharkhand, Bihar, Manipur, Mizoram, Nagaland, Tripura, Meghalaya, Arunachal Pradesh and Sikkim participated in the three day Conference.



Chief Justice A.K. Goel, Gauhati High Court, during the inaugural Session. On dias from left Justice Hrishikesh Roy and Justice AC Upadhyay

The Conference was organized by the Gauhati High Court in collaboration with the National Judicial Academy, Bhopal, Judicial Academy, Assam and the North Eastern Judicial Officers Training Institute, Guwahati.

The conference was inaugurated by Justice A.K.Goel, the Chief Justice of the Gauhati High Court in presence of other Judges of the Gauhati High Court and the Director of the National Judicial Academy.



Justice B. P. Katakey speaking on the topic 'Civil Administration'



Justice P. C. Ghose, Judge, Supreme Court of India deliberating on 'Civil Administration'



Justice Joymalya Bagchi, Judge, Calcutta High Court speaking on the topic 'Just Sentencing'



Justice Hrishikesh Roy, Judge-in-Charge, Training addressing on 'Access to Justice'



Justice B.D. Agarwal making his presentation on 'Human rights' with Justice Maibam B. K. Singh



Justice Chandrasekhar, Judge Jharkhand High Court delivering his lecture on Rule of Law

Access to justice refers to the ability of all people to seek and obtain effective remedies through accessible, affordable, impartial, efficient, effective, and culturally competent institutions of justice.

The World Justice Project



Justice S. D. Mukhopadhaya, Judge, Supreme Court of India addressing the conference. Alongside Justice A.K. Goswami.



Justice I. A. Ansari, Judge, Gauhati High Court addressing the judicial officers at the conference.



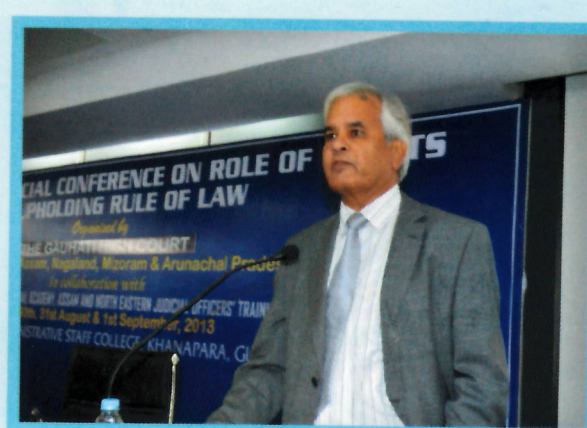
Justice Anjana Prakash, Judge, Patna High Court speaking on 'Fair Trial'



Prof. Balram K. Gupta, Director, NJA speaking on Rule of Law



Prof. Ishwara Bhat speaking on Classical concept and Constitutional aspect of Rule of Law



Prof. M. P. Singh, Chairperson, Delhi Judicial Academy speaking on Rule of Law

The truth is that some crimes are so outrageous that society insists on adequate punishment, because the wrong doer deserves it, irrespective of whether it is a deterrent or not.

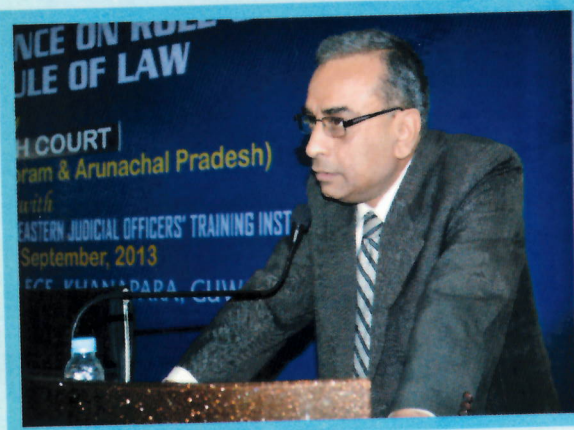
Lord Denning



Justice S. J. Mukhopadhaya, Judge, Supreme Court of India distributing certificates to the participants



Justice P. C. Kuriakose , Chief Justice, Sikkim High Court speaking on Rule of Law



Justice A. K. Banerjee of Calcutta High Court addressing the judicial officers



Judges of the Gauhati High Court during the East Zone Judicial conference



Few participants in the East Zone Judicial Conference photographed with Judges

The core of the existing principle of rule of law, I suggest, that all persons and authorities within the state, whether public or private, should be bound by and entitled to the benefit of laws publicly and prospectively promulgated and publicly administered in the courts.

Lord Tom Bingham, MR

FAREWELL TO HON'BLE MR. JUSTICE A. C. UPADHYAY



(From right) Justices Katakey, Justice Vaiphei, Justice Upadhyay, Chief Justice Goel and Justice Ansari

A full court farewell reference was held on 27.07.2013, in the Court room of No. 1 on the retirement of Justice A. C. Upadhyay, Judge, Gauhati High Court. The Chief Justice, A. K. Goel and Members of the Bar spoke on the occasion and appreciated the outstanding contribution of Justice Upadhyay. The judges and members of the Registry hosted a dinner for Madam Upadhyay and Justice Upadhyay. On retirement, Justice Upadhyay takes over as the Director of the Judicial Academy, Assam.



Justice A.C. Upadhyay taking Guard of Honour on the day of retirement



Justice A. C. Upadhyay with his colleague Judges on the date of retirement

INAUGURATION OF NEW COURT BUILDING AT SARUPATHAR ON 7.9.2013



Justice A. K. Goswami, Judge, Gauhati High Court lighting the ceremonial lamp on the occasion of inauguration of the New Court Building at Sarupathar

The new sub-divisional court building at Sarupathar in the district of Golaghat was inaugurated by the portfolio Judge of the District, Justice A. K. Goswami on 7th September, 2013 in presence of the District & Sessions Judge, Golaghat, Sri T. Lohar, other Judicial Officers of the district, members of the Bar and Addl. Deputy Commissioner. Justice Goswami also spoke during the inaugural function.

**TRAINING OF THE PUBLIC PROSECUTOR, ADDITIONAL PUBLIC PROSECUTORS AND ASSTT.
PUBLIC PROSECUTORS HELD ON 15.09.2013**

Judicial Academy, Assam and NEJOTI organised a Training Programme for the public prosecutors, Additional public prosecutors and Asstt, public prosecutors of Kamrup, Darrang, Udalguri, Nalbari and Morigaon district on 15.09.2013 at Guwahati. The programme was inaugurated by Justice Hrishikesh Roy, Judge-in-Charge, Training in presence of other Judges of the Gauhati High Court. The training programme was organised to enhance the skill of the public prosecutors who are important stakeholders in the justice delivery system.



Justice Hrishikesh Roy, Judge-in-Charge, Training addressing the public prosecutors.



Justice I. A. Ansari, Judge, Gauhati High Court in the Judicial Academy.



Justice P. G. Agarwal, Former Judge, Gauhati High Court on training of the public prosecutors



Judges of the Gauhati High Court attending the Inaugural Function of the Training of the public prosecutors.

The expected attitude of the Public Prosecutor while conducting prosecution must be couched in fairness not only to the court and to the investigating agencies but to the accused as well.

Justice K T Thomas, in Shiv Kumar vs Hukam Chand And Another

**REGIONAL TRAINING OF THE JUDICIAL OFFICERS OF MIZORAM HELD ON 27th & 28th
SEPTEMBER, 2013 AT AIZAWL**

Judicial Academy, Assam and NEJOTI organised its first Regional Training Programme for the Judicial Officers of the Mizoram Judicial Service in the Administrative Training Institute, Aizawl on 27.09.2013 & 28.09.2013. The programme was inaugurated by Justice Lanusungkum Jamir, Judge Gauhati High Court. Justice A.C. Upadhyay, Director, Judicial Academy, Assam and NEJOTI, Sri S.M. Deka, Academic Adviser, NEJOTI, Sri S.K. Dhar, Faculty, NEJOTI, Smt. Aruna Deves, Faculty, Judicial Academy and members of the Registry, Aizawl Bench were present during the inaugural function.

Justice Ujjal Bhuyan, Portfolio Judge for the State of Mizoram attended the Valedictory function and stressed on the importance of continuous judicial education and training.



Justice L. S. Jamir, Judge, Gauhati High Court addressing the participants in the Inaugural Session at Administrative Training Institute, Aizawl



Justice Ujjal Bhuyan addressing the Judicial Officers in the Valedictory Session at Administrative Training Institute, Aizawl



Sri S. M. Deka, Academic Adviser, NEJOTI addressing the Judicial Officers of Mizoram



Participants with Judges during Valedictory Session.

We would not allow a man to perform a surgical operation without a thorough training and certification of fitness. Why not require as much of a trial judge who daily operates on the lives and fortune of others ?

Jerome Frank

IN THE GAUHATI HIGH COURT

[THE HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH]

THE CHIEF JUSTICE AND JUDGES OF THE GAUHATI HIGH COURT

Sl.No	Name of Chief Justice /Judges	Date of Elevation	Date of Retirement
1.	Chief Justice A.K. Goel	20.12.2011	07.07.2015
2.	Justice I. A. Ansari	04.03.2002	28.10.2016
3.	Justice T. Vaiphei	17.07.2003	28.02.2018
4.	Justice B.K. Sharma	02.12.2003	31.01.2016
5.	Justice B.P. Katakey	01.11.2004	27.06.2014
6.	Mrs. Justice Anima Hazarika	01.11.2004	31.12.2013
7.	Justice Hrishikesh Roy	12.10.2006	31.01.2022
8.	Justice B.D. Agarwal	12.10.2006	16.06.2014
9.	Justice C.R. Sarma	28.12.2012	28.02.2016
10.	Justice A.K. Goswami	24.01.2011	10.03.2023
11.	Justice Ujjal Bhuyan	17.10.2011	01.08.2026
12.	Justice P.K. Saikia	17.10.2011	(Additional Judge)
13.	Dr. (Mrs.) Justice Indira Shah	02.03.2012	(Additional Judge)
14.	Justice Nishitendu Chaudhury	22.05.2013	(Additional Judge)
15.	Justice Lanusungkum Jamir	22.05.2013	(Additional Judge)
16.	Justice M. R. Pathak	22.05.2013	(Additional Judge)

IN THE GAUHATI HIGH COURT

[THE HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH]

STATEMENT SHOWING INSTITUTION, DISPOSAL AND PENDENCY

OF CASES (EXCLUDING MISC. CASES) IN RESPECT OF THE

GAUHATI HIGH COURT FOR THE PERIOD

01.04.2013 to 31.08.2013

Name of Benches	Total pendency as on 01.04.2013	Institution for the period from 01.04.2013 to 31.08.2013	Disposal for the period from 01.04.2013 to 31.08.2013	Total pendency as on 31.08.2013
Principal Seat	24189	9696	9800	24085
Kohima Bench	350	206	177	379
Aizawl Bench	236	162	111	287
Itanagar Bench	494	444	355	583
Total	25269	10508	10443	25334

Excluding Misc. Cases