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

Justice I. A. Ansari addressing the the gathering

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 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
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.

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
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.

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.

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
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 Authjority, Mr. Lalsawta, Minister of Law & Judicial Department, Government of Mizoram. The Members of the Bar, Bench, officials of State Government, PLV, Legal Aid Cousel were benefitted by the deliberation.

Justice J.S. Khehar also attended the Legal Awarness 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.
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**

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.

*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.

*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 2G Spectrum Case*
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 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

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The short film ‘XANKO’ (The Bridge) on Mediation released by the Chief Justice of India and the Chief Minister of Assam


Front view - New Court Building

Inside view of Chief Justice's Court
Chorus

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

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.

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
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
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

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.
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
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 Devee, 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 the importance of continuous judicial education and training.

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
### The Chief Justice and Judges of the Gauhati High Court

<table>
<thead>
<tr>
<th>Sl.No</th>
<th>Name of Chief Justice /Judge</th>
<th>Date of Elevation</th>
<th>Date of Retirement</th>
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<tr>
<td>5.</td>
<td>Justice B.P. Katakey</td>
<td>01.11.2004</td>
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<td>Justice Hridhikesh Roy</td>
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<td>Justice Ujjal Bhuyan</td>
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<td>Dr. (Mrs.) Justice Indira Shah</td>
<td>02.03.2012</td>
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<td>Justice Nishitendu Chaudhury</td>
<td>22.05.2013</td>
<td>(Additional Judge)</td>
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<td>15.</td>
<td>Justice Lanusungkum Jamir</td>
<td>22.05.2013</td>
<td>(Additional Judge)</td>
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<td>16.</td>
<td>Justice M. R. Pathak</td>
<td>22.05.2013</td>
<td>(Additional Judge)</td>
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### In the Gauhati High Court

**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**

<table>
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<th>Name of Benches</th>
<th>Total Pendency as on 01.04.2013</th>
<th>Institution for the period from 01.04.2013 to 31.08.2013</th>
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*Excluding Misc. Cases*