Atman

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

Guwahati :::: Eighth Year :::: 14th Issue :::: April, 2016

Events organized during October, 2015 to March, 2016

- Farewell to Justice K.S. Rao, the Acting Chief Justice
- Release of 'AFNE A/NAB1' on 9th November, 2015 at Vigyan Bhawan, New Delhi
- Valedictory function of the newly recruited Judicial Officers of Assam
- Aizawl Conference of Judicial Officers on Judicial Professionalism on 21st November, 2016
- Seminar on Children’s Welfare and Rights organized by MSLSA on 26th November, 2015 in Mizoram
- Regional Consultation on Child Rights and Protection on 12th and 13th December, 2015 at Guwahati
- Inauguration of ADR Centre at Mangaldoi, Darrang by Justice B.K. Sharma on 16th December, 2015
- Foundation Laying ceremony of Dibrugarh Additional Court Building and Bar Library foundation stone laid by Justice Ranjan Gogoi
- Inauguration of ADR Centre at Tinsukia on 23rd December, 2015
- Seminar organized by Tinsukia Bar Association on 23rd December, 2015
- Inauguration of Sub-divisional Court at Hatisingmari on 2nd January, 2016
- Inauguration of ADR Centre at Nalbari on 7th January, 2016
- Inauguration of new building of Sub-divisional Courts at Dhubri on 22nd January, 2016
- Inauguration of ADR Centre at Silchar on 26th January, 2016
- Skill Development programme for the Public Prosecutors at Silchar
- Inauguration new building of MAC Tribunal at Barpeta
- Full Court farewell reference of Justice B.K. Sharma on 29th January, 2016
- Foundation Laying ceremony of new Court Building at Golaghat on 20th February, 2016
- Sensitization programme at Guwahati on Disability Laws
- Full Court farewell reference of Justice C.R. Sarma on 29th February, 2016
- Justice Ajit Singh sworn in as Chief Justice of the Gauhati High Court on 05.03.2016

From the Chief Justice

The ATMAN depicts the sequence of events in a systematized manner. The approach of ATMAN in crystal narrative of events containing Farewell to Judges, Seminars on different valuable topics to create public awareness, Conference of Judicial Officers on Judicial professionalism, Inauguration of ADR Centres as well as New Buildings at different places, Skill Development Programme for Public Prosecutors, Sensitization Programme on Disability Laws and Swearing-in Ceremony of Chief Justice of Gauhati High Court held on 5.3.2016 is highly informative and laudable.

I wish that ATMAN will be useful to all stakeholders more particularly to its readers.

Justice Ajit Singh

Editor speak

Recently on the International Day of Forests, the UN General Secretary Ban Ki-Moon called upon everyone to protect, restore and sustain healthy forests. What happens otherwise can be understood from the old Indian proverb which says Only when the last tree has died, the last river is poisoned and the last fish has been caught, will people realize that we cannot eat money. Therefore ATMAN today, salutes Assam’s forest man Jadav Payeng who since 1979, single handedly planted an entire forest on the barren banks of river Brahmaputra and invested for the future of our planet.

Justice Hrishikesh Roy
Farewell to Justice K.S. Rao, the Acting Chief Justice

Justice Michael Zothankhuma presenting a memento to Justice Rao

The Judges of the Gauhati High Court and members of the Registry bid farewell to Justice K.S. Rao, the Acting Chief Justice on 14th October, 2015 who demitted office on 20th October, 2016. A dinner was hosted in honour of Justice Rao where Judges of the Gauhati High Court and members of the Registry were present. During his tenure, Justice Rao had taken keen interest for improvement of the Justice delivery system. A large number of posts of ministerial staff were created for the District Courts of Assam and in the High Court. Apart from that, encroachers were evicted from the High Court’s land at Malibagan, Guwahati where 220 units of staff quarters are proposed to be constructed.

Release of the film ‘APNE AJNABI’ on 9th November, 2015 at Vigyan Bhawan, New Delhi

Justice Hrishikesh Roy, the Executive Chairman, Arunachal Pradesh State Legal Services Authority attended the plenary meeting of the Executive Chairpersons and Member Secretaries of the State Legal Services Authorities on 8-9 November, 2015 at Vigyan Bhawan, New Delhi. During the event, Justice T.S. Thakur, the Executive Chairperson, National Legal Services Authority released the film ‘Apne Ajnabi’ produced by the Arunachal Pradesh State Legal Services Authority on racial discrimination and national integration in presence of Justice Anil R. Dave, Judge, Supreme Court of India. Justice Hrishikesh Roy, introduced the film before the august gathering at Vigyan Bhawan, New Delhi.

Releasing ‘APNE AJNABI’ at Vigyan Bhawan

Justice Hrishikesh Roy introducing ‘APNE AJNABI’ at Vigyan Bhawan
The Judicial Academy, Assam in association with NEJOTI organized a valedictory function on 9th November, 2015 in the Conference Hall of the Judicial Academy, on completion of one year induction training of Grade-III Judicial Officers of the Assam Judicial Service. Justice T. Vaiphei, the Acting Chief Justice, Justice B.K. Sharma, Judge, Administrative Department, Justice C.R. Sarma, Justice Manojit Bhuyan, Justice Suman Shyam, Mr. H.K.Sarma, the Registrar General, Gauhati High Court and members of the Registry were present. Justice T. Vaiphei in his address urged the trainee officers to read the books of Lord Denning to pick up tips on the art of writing in simple style with clarity. Justice B.K. Sharma advised the officers to work with honesty and sincerity. The Judges present distributed certificates to the trainee Judicial Officers.

The objective of judicial training is to locate, articulate, communicate and ultimately to apply those principles of rectitude to which our personal preferences, desires and emotions must be subordinated. We call it the rule of law.

— Justice Ivor Archie, Chief Justice of the Republic of Trinidad and Tobago
The Gauhati High Court, Aizawl Bench in association with North Eastern Judicial Officers Training Institute, organized a day long conference on Judicial Professionalism for the Judicial Officers of Assam, Nagaland, Mizoram and Arunachal Pradesh on 21st November, 2015 at Aizawl. The Conference was inaugurated by Justice T. Vaiphei, the Acting Chief Justice, Gauhati High Court. The resource persons for the conference were Justice S. Ravindra Bhat, Judge of Delhi High Court, Justice Roshan S. Dalvi, former judge, High Court of Bombay, Prof. G. Mohan Gopal, Director, Rajiv Gandhi Institute of Contemporary Studies, New Delhi. The first technical session on the topic Effective Judges for Stronger Judiciary was chaired by Justice Hrishikesh Roy, Judge-in-charge Training, Gauhati High Court. Prof. G. Mohan Gopal and
Justice S. Ravindra Bhat were the two resource persons in that session. The second technical session on the topic *Public Faith: Strength of the Judges* was chaired by Justice Michael Zothankhuma. Justice Roshan S. Dalvi and Justice S. Ravindra Bhat of Bombay and Delhi High Court made lively presentation during the session. The third session of the conference was on the topic *Control over Court Proceeding* was chaired by Justice J. Chelameswar, Judge, Supreme Court of India and co-chaired by Justice T. Vaiphei. Justice Roshan S. Dalvi and Justice S. Ravindra Bhat were the resource persons during the session. In the Valedictory Session, Justice J. Chelameswar, Justice T. Vaiphei and Justice Hrishikesh Roy addressed the Judicial Officers. The Joint Director (officiating), Judicial Academy and the Registrar, Aizwal Bench proposed the vote of thanks in the inaugural and valedictory sessions respectively.

**Seminar on Children's Welfare and Rights organized by Mizoram State Legal Services Authority on 28th November, 2015**

The Mizoram State Legal Services Authority organized a seminar on Children's Welfare and Rights on 28th November, 2015 at Pachhunga University College. Justice Ujjal Bhuyan, the Executive Chairman, MSLSA inaugurated the programme. In his address, the MSLSA Chairman highlighted the recent trends in the fields of children's rights and their entitlement. The representatives of various Government departments, police and excise personnels, Judicial Officers, Para Legal Volunteers, students and NGOs participated in the seminar.
The Acting Chief Justice with his inaugural address

The Assam State Legal Services Authority in association with Human Rights Law Network and Assam State Commission for protection of Child rights organized a two day long consultation for the stakeholders on various issues on child rights and its protection at Guwahati. The representatives of Legal Service Authorities, JJBs, Child Welfare Committee, NGOs and Human Rights organizations participated in the consultation. Justice T. Vaiphei, the Acting Chief Justice, Gauhati High Court inaugurated the two day long event.

Inauguration of ADR Centre at Mangaloi, Darrang by Justice B.K. Sharma on 18th December, 2015

Justice B.K. Sharma, the Executive Chairman, Assam State Legal Services Authority inaugurated the ADR Centre at Mangaloi on 18th December, 2015 in presence of the District and Sessions Judge, Darrang, the Deputy Commissioner, Darrang, Judicial Officers and members of the Bar. The ADR Centre was constructed from the fund allocated under the 13th Finance Commission Award. The construction of the ADR Centre will help the litigants to resolve their disputes in congenial atmosphere.
On 23rd December, 2015, Justice Ranjan Gogoi, Judge, Supreme Court of India laid the foundation stone of the Additional Court Building and Bar Library of the Dibrugarh District Judiciary in presence of Justice T. Vaiphei, the Acting Chief Justice, Gauhati High Court, Justice B.K. Sharma, Judge, Administrative Department, Justice Hrishikesh Roy, the Portfolio Judge for the district of Dibrugarh, Judicial Officers, members of the Bar and litigants. The additional court building will facilitate extra space for new courts as the old building was declared a heritage building as per the guidelines of 13th Finance Commission.
Inauguration of ADR Centre at Tinsukia on 23rd December, 2015

Justice Ranjan Gogoi, Judge, Supreme Court of India inaugurated the ADR Centre at Tinsukia on 23rd December, 2015 in presence of Justice B.K. Sharma, the Executive Chairman, Assam State Legal Services Authority. Justice Hrishikesh Roy, the Portfolio Judge for the district of Tinsukia, Judicial Officers, lawyers and public. The ADR Centre was constructed from the fund allocated under the 13th Finance Commission Award. This centre will help parties to resolve their disputes amicably. The centre will be used by the DLSA to perform its activities which in turn will help it in achieving the goal set by Article 39-A of the Constitution of India.

Seminar organized by Tinsukia Bar Association on 23rd December, 2015

The Tinsukia Bar Association organized a Legal Seminar on 23rd December, 2015 on the topic New Age Challenges - Role of Bar and Bench. Addressing the seminar, Justice Ranjan Gogoi, Judge, Supreme Court of India emphasized that both Bar and Bench should prepare themselves for the emerging challenges in IPR, IT Laws, Surrogacy and also Commercial disputes which will require special expertise. Justice Hrishikesh Roy while speaking in the seminar stressed on the role of junior lawyers in the justice delivery system and also highlighted the importance of Alternate Dispute Resolution mechanism.
Inauguration of Sub-divisional Court at Hatsingimari on 2nd January, 2016

Justice B.K. Sharma, Judge, Administrative Department, Gauhati High Court inaugurated the sub-divisional court at Hatsingimari on 2nd January, 2016 in presence of Justice Ujjal Bhuyan, the Portfolio Judge for the district of Dhubri, Mr. M.A. Ali, the Registrar (Vigilance), the Joint Registrar (PM&P), Judicial Officers, members of the Bar and litigant public. The opening of courts at Hatsingimari will reduce the hardships of the litigants as courts will be easily accessible to them.

Inauguration of ADR Centre at Nalbari on 7th January, 2016

Justice B.K. Sharma, the Executive Chairman, Assam State Legal Services Authority inaugurated the ADR Centre at Nalbari on 7th January, 2016 in presence of Justice A.K. Goswami, the Portfolio Judge for the district of Nalbari, Judicial Officers, lawyers and public. The ADR Centre was constructed from the fund allocated under the 13th Finance Commission Award.

Mediation is particularly attractive at the present time when litigation is becoming ever more expensive and time consuming, when the law is getting increasingly complex, when legal aid is ever more attenuated, and when court fees are being increased markedly.

— Lord Neuberger, President, Supreme Court of UK
Justice A.M Sapre, Judge, Supreme Court of India inaugurated the Video Conferencing system of the Judicial Academy connecting with the District Courts of Assam on 23rd January, 2016 in presence of the Judges of the Gauhati High Court, members of the Registry and judicial Officers. The Judicial Academy, Assam is the first Academy in the country which is connected with the Video Conferencing System with the District Courts. The project was initiated from the fund allocated under the 13th Finance Commission Award. Justice A.M. Sapre in his motivating speech urged the Judicial Officers to adhere to the core Judicial values. The Supreme Court Judge interacted with the Assam Judicial officers connected through the Video Conferencing System. Justice Hrishikesh Roy, Judge-in-charge, Training delivered the welcome address and also highlighted the utility of the Video Conferencing for the justice delivery system. The Director, Judicial Academy proposed the vote of thanks.

Dispensation of justice entails speedy justice and justice rendered with least inconvenience to the parties as well as to the witnesses. If a facility is available for recording evidence through video conferencing, which avoids any delay or inconvenience to the parties as well as to the witnesses, such facilities should be resorted to.

— Justice Sanjeev Sachdeva, Judge, High Court of Delhi
Justice B.K. Sharma and Justice P.K. Saikia lighting the ceremonial lamp

Justice B.K. Sharma, Judge, Administrative Department, inaugurated the new building of the sub-divisional court at Dhakuakhana on 22nd January, 2016 in presence of Justice P.K. Saikia, the Portfolio Judge for the district of North Lakhimpur, Judicial Officers, members of the Bar and litigant public. The inauguration of new court building at Dhakuakhana will help the members of the Bar and Bench to dispense justice to litigants in a better court environment.


A full Court farewell reference was held on 25.01.2016 in the Court No. 1 of the Gauhati High Court to bid farewell to Justice P.K. Saikia on his retirement. The Judges of the Gauhati High Court, members of the Bar and the officers of the Registry were present during the occasion. The members of the Bar recollected the contributions of Justice P.K. Saikia towards development of Criminal Law. The Acting Chief Justice in his reference address described Justice P.K. Saikia as a compassionate and sobre Judge.

The Judges of the Gauhati High Court hosted a dinner on 29.01.2016 in honour of Smti Kabita Saikia and Justice P.K. Saikia. The dinner was attended by the Judges of the Gauhati High Court, their spouses, former Judges, members of the Registry and representatives of the Bar.
Inauguration of ADR Centre at Silchar on 26th January, 2016

Justice B.K. Sharma, the Executive Chairman, Assam State Legal Services Authority inaugurated the ADR Centre at Silchar on 26th January, 2016 in presence of Justice N. Chaudhury, the Portfolio Judge for Cachar District, Judicial Officers, Lawyers and public. The ADR Centre was constructed from the fund allocated under the 13th Finance Commission Award. The ADR centre would be a complementary forum for resolution of disputes in a time bound and cost effective manner.

Inauguration of New Building of MAC Tribunal at Barpeta on 27th January, 2016 by Justice B.K. Sharma

Justice B.K. Sharma, Judge Administrative department, Gauhati High Court inaugurated the new building of MAC Tribunal at Barpeta on 27th January, 2016 in presence of Justice Ujjal Bhuyan, the Portfolio Judge for the district of Barpeta, Member MACT, Barpeta, Judicial Officers and litigant public. The inauguration of new Tribunal building will help the victims of motor accidents to pursue their claims in a congenial atmosphere.

Neither the police nor the Motor Accidents Claims Tribunals have made any effort to implement mandatory provisions like Section 158(6) of the Act and rules. If these provisions are faithfully and effectively implemented, it will be possible for the victims of accident and/or their families to get compensation, in a span of few months.

— Justice R V Raveendran, former Judge, Supreme Court of India
The Judicial Academy in association with NEJOTI organized a one day skill development programme for the public prosecutors of Cachar, Karimganj, Hailakandi and Dima Hasao districts at Silchar. The Public Prosecutors from these four districts participated in the event at Silchar. Justice (Retd.) A.C. Upadhyay, the Director, Judicial Academy inaugurated the programme. The interaction of the resource persons with the Public Prosecutors generated keen interest in them to improve their professional skill.

Full Court Farewell reference of Justice B.K. Sharma on 29th January, 2016

A full Court farewell reference was held on 29.01.2016 in the Court No. 1 of the Gauhati High Court to bid farewell to Justice B.K. Sharma on his retirement. The Judges of the Gauhati High Court, members of the Bar, the officers of the Registry were present during the occasion. The advocates recollected the significant contributions of Justice B.K. Sharma towards development of Service Law and laws relating to Foreigners. During his tenure as Judge of the Gauhati High Court, Justice Sharma disposed of 35,472 numbers of cases.

The Judges of the Gauhati High Court hosted a dinner on 29.01.2016 in honour of Smt. Archana Sharma and Justice B.K. Sharma.
On 20th February, 2016, Justice Hrishikesh Roy, Judge, Administrative Department, Gauhati High Court laid the foundation stone of the new Court Building of Golaghat district judiciary in presence of Justice C.R. Sarma, the Portfolio Judge of Golaghat district, Mr. Robin Phukan, District & Sessions Judge, Golaghat, Judicial Officers, members of the Bar and litigants. The new court building on its completion will fulfill the need of having courts with modern facilities.

**Sensitization programme for the Judicial Officers on Disability Laws on 27th & 28th February, 2016**

*Shishu Sarothi*, a centre for rehabilitation and training for multiple disabilities in association with the Judicial Academy, Assam organized two day long training and sensitization programme for the judicial officers on Disability Laws. Justice Hrishikesh Roy, Judge in-Charge, Training, Gauhati High Court inaugurated the programme and shared his personal experience in dealing with children with hearing impairment. Mr. Arman Ali, the Executive Director of *Shishu Sarothi* who is a differently-abled person interacted with the judicial officers from the districts of Kamrup (Metro), Kamrup Amingaon, Darrang, Nalbari, Morigaon and Udalguri who participated in the programme and shared his thoughts about the rights of the differently-abled persons.

The Constitution has been enacted not merely to give effect to a settlement between opposing forces in the struggle for our democracy..............the Constitution is there to ensure that people who are vulnerable and marginalised because of their poverty or for other reasons are protected and their quality of life improved. — Justice Z.M.Yacoob, former Judge, Constitutional Court of South Africa
Gauhati High Court family bid farewell on 29.02.2016 to Justice C.R. Sarma on his retirement. A full court reference was held which was graced by the Judges of the Gauhati High Court, members of the Bar and the officers of the Registry. Justice Hrishikesh Roy in his reference address recollected the contributions of Justice C.R. Sarma towards development of Criminal Law. The members of the Bar described Justice Sarma as a Judge of common men. The Judges of the Gauhati High Court also hosted a dinner on 29.02.2016 in honour of Smt. Anita Sarma and Justice C.R. Sarma.

**Justice Ajit Singh sworn in as Chief Justice of the Gauhati High Court**

The Governor of Assam, Mr. P. B. Acharya administered the oath of office to the Chief Justice (designate), Justice Ajit Singh on 05.03.2016 in a function organized at Gauhati High Court. Justice Ajit Singh was appointed as Judge of Madhya Pradesh High Court on 01.04.2002. Prior to his appointment in the Gauhati High Court, he served as the Acting Chief Justice of the Rajasthan High Court. The Chief Minister of Arunachal Pradesh, the Chief Justice of High Court of Meghalaya, Justice A.K. Patnaik, former Judge, Supreme Court of India, Judges both sitting and retired of the Gauhati High Court, the members of the Bar, Advocate General, the Chief Secretary, Assam, the officers of the Registry were present at the function.

A Judge before he assumes his office, takes an oath to discharge his duties without fear or favour. He would breach his oath of office, if he accepts a prayer for recusal, unless justified.

— Justice Jagdish Singh Khehar, Judge, Supreme Court of India
### THE CHIEF JUSTICE AND JUDGES OF THE GAUHATI HIGH COURT

#### Permanent Judges

<table>
<thead>
<tr>
<th>Sl.No</th>
<th>Name of Chief Justice / Judges</th>
<th>Date of Elevation</th>
<th>Date of Retirement</th>
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<td>1.</td>
<td>Chief Justice Ajit Singh</td>
<td>05.03.2016</td>
<td>05.09.2018</td>
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<td>4.</td>
<td>Justice A.K. Goswami</td>
<td>24.01.2011</td>
<td>10.03.2023</td>
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<td>Justice Ujjal Bhuyan</td>
<td>17.10.2011</td>
<td>01.08.2026</td>
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<td>6.</td>
<td>Justice (Dr) Indira Shah</td>
<td>02.03.2012</td>
<td>16.08.2016</td>
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<td>7.</td>
<td>Justice Nishitendu Chaudhury</td>
<td>22.05.2013</td>
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#### Additional Judges

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<tr>
<th>Sl.No</th>
<th>Name of Additional Judges</th>
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<td>1.</td>
<td>Justice Lanusungkum Jamir</td>
<td>01.03.1964</td>
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<td>Justice Manojit Bhuyan</td>
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<td>4.</td>
<td>Justice Michael Zothankhuma</td>
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<td>Justice Suman Shyam</td>
<td>02.06.1969</td>
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<td>6.</td>
<td>Justice Paran Kumar Phukan</td>
<td>29.10.1955</td>
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<td>7.</td>
<td>Justice Rumi Kumari Phukan</td>
<td>01.07.1960</td>
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**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 FROM


<table>
<thead>
<tr>
<th>Name of Benches</th>
<th>Total pendency as on 28.09.2015</th>
<th>Institution for the period from 28.09.2015 to 29.02.2016</th>
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*Excluding Misc. Cases*