From the Chief Justice

Law is futile if it is not for the good and protection of the poorest of the poor. The colourless law gains colour when it is touched by the sweat of the poor and for that purpose the law must knock at their doors. Judicial system in a State may be termed as successful only if it reaches the most neglected, unseen and those who are most forgotten in the society. I am glad that the ‘Reach out and Respond’ programme has been launched aiming at that purpose only. And I hope that the aim and object of the programme would be fulfilled.

I wish ATMAN a very long and successful life.

Justice Ajit Singh

Editor speaks

Currently the Reach out & Respond programme is being implemented in Assam. This initiative of the Legal Service Authority is targeted at the un-informed and the vulnerable segment, who are oblivious of their legal rights and are reconciled to suffer in silence. Under the National Policy for Persons with Disabilities, 2006 and ADIP (Assistance to Disabled Person) Schemes, information was collected from all across Assam and now actionable data for around 30,000 is available with the ASLSA. The chosen group will assemble at their nearest camp where the techno-medical team will take measurement and fit each patient with a prosthetic attachment. The supply of limbs and other assistive devices will be provided free by the Bhagwan Mahavir Viklang Sahyog Samiti, Jaipur and Team ATMAN believe that this will surely be a life changing event for the individual.

Justice Hrishikesh Roy
Launching of the Reach out and Respond Programme by Assam State Legal Services Authority on 6th April, 2016

The Assam State Legal Services Authority (ASLSA) launched its ambitious Reach out & Respond programme, ("সহাবি" in vernacular), on 6th April, 2016 in a simple function held in the conference hall of the Gauhati High Court. The objective of the ASLSA initiative is to be Pro-active in reaching out justice to the most unaware and marginalized section of the society so that they do not suffer silently and can access the benefits of the various beneficial schemes of the Government. The programme envisages active involvement of the Secretaries of the District Legal Services Authority (DLSA), Para Legal Volunteers and compassionate Media persons of Assam.

The Reach Out & Respond programme was launched by Justice Ajit Singh, the Chief Justice, and Justice T. Vaiphei of Gauhati High Court. The Executive Chairman, ASLSA, Justice Hrishikesh Roy explained the concept of being Pro-active in justice delivery. Justice A. K. Goswami, the Executive Chairman, Arunachal Pradesh State Legal Services Authority also gave his inputs on the new initiative. Other Judges of the Gauhati High Court, officers of the Registry, media persons, and officials of the State Legal Services Authority were present in the function. During the event, the annual Calendar of the ASLSA was released by Justice Ajit Singh, the Chief Justice of the Gauhati High Court.
Refresher Training Course for the Members of the Foreigners Tribunal and Border Police on 23rd and 24th April, 2016

Justice (Retd.) B.K. Sharma elaborating on Foreigners Laws

Justice (Retd.) B.P. Katakey addressing the Stake holders

The Judicial Academy, Assam in association with Home and Political Department, Government of Assam organized a refresher programme for the Members of the Foreigners Tribunal of Assam, Border police on 23rd and 24th April, 2016 in the Assam Administrative Staff College. The programme was inaugurated by Justice Hrishikesh Roy, Judge In-charge, Training, Gauhati High Court. He also addressed the members and the Border Police officers during the technical session. Justice A. K. Goswami, Justice Ujjal Bhuyan, Justice Rumi Kumari Phukan, Justice (Retd.) B.K. Sharma, and Justice (Retd.) B.P. Katakey acted as the resource persons of the programme and gave valuable inputs for efficient functioning of the Foreigners Tribunal.

Justice Hrishikesh Roy on Constitutional parameters

Justice Arup Kumar Goswami on burden of proof in the Foreigners Tribunal

Justice Ujjal Bhuyan on Nature of references to the Tribunal

Judges and Members and Officers present at the Refreshers programme
The Gauhati High Court in association with the State Child Protection Society, Assam, the State Commission for Protection of Child rights supported by UNICEF, organized the two-day long programme on Juvenile Justice (Care and Protection of children) Act, 2015 with special focus on children in conflict with law on 7th and 8th May, 2016 at the Administrative Staff College, Guwahati. The programme was inaugurated by Justice Madan B. Lokur, Judge, Supreme Court of India. Justice Ajit Singh, the Chief Justice, Gauhati High Court spoke on the role of courts to do justice to the children.

The working sessions of the conclave were chaired by Justice Hrishikesh Roy, Justice A. K. Goswami, Justice Ujjal Bhuyan, Justice Indira Shah, Justice N. Chaudhury, Justice M.R. Pathak, Justice Manojit Bhuyan and Justice Suman Shyam. The deliberation highlighted the key elements of the Juvenile Justice (Care & protection of Children) Act 2015, the changes in Law and new challenges, Issues and Good Practices with regard to Rehabilitation of Children in Conflict with law, Understanding the psycho-social issues and approaches of interventions with children in conflict with law. At the end of the programme Justice Hrishikesh Roy, Judge In-charge, Training, summarized the key presentation of the resource persons during the two day conclave.
The Study Report presented by Jay Prakash Narayan Institute of Social Change, Kolkata highlighted some areas of concern for which remedial measures were suggested by the stake holders. The gaps and challenges identified during the interactive session were noted for the way forward on Juvenile Justice dispensation. The Judicial Officers from Assam, Nagaland, Mizoram, and Arunachal Pradesh, the members of Juvenile Justice Board, Police personal and other stake holders participated in the conclave.

It is clear that the delays in the system are affecting lives of the juveniles in more than one ways: those in the Observation homes are not receiving adequate education and those who are on bail experience frequent break down of their daily schedules and disruption of work. Many of them who are undergoing trial now are young adults with families and jobs and the purpose of continuing the proceedings against them are questionable.

— Excerpt from the Study Report of Jayaprakash Institute of Social Change on functioning of JJBs in Assam
The Tinsukia Bar Association organized a seminar on "Art of Advocacy and Cross Examination" for the advocates of the Tinsukia Bar on 30th April, 2016 at Tinsukia. The resource persons for the programme were Justice A.K. Goswami, Justice Ujjal Bhuyan, and Justice (Retd.) A.C. Upadhyay, the Director, Judicial Academy, Assam. The designated speakers highlighted various facets of advocacy and the art of cross examination.

**Farewell Reference of Justice T. Vaiphei on 13th May, 2016**

The Gauhati High Court fraternity bid farewell to Justice T. Vaiphei on 13th May, 2016 on his transfer to head the Tripura High Court. The full Court farewell reference in court No.1 was graced by the Judges, the members of the Bar and officers of the Registry of the Gauhati High Court. The members of the bar recollected the manifold qualities of the long serving Judge of the Gauhati High Court. The Chief Justice with his Companion Judges hosted a farewell dinner in honour of Madam Smt. Goleni Sailo and Justice T. Vaiphei.

The best manner of citing a case in court is for the advocate to read the case first outside the court, to digest it and then to pick out the most relevant and essential passage from that report........ It is best for the advocate to assimilate the precedents in his own chambers first before citing them in court.

—Justice P B Mukharji, former Chief Justice, Calcutta High Court
Chief Minister Mr. Lal Thanhawla speaking during the Aizawl event

Mr. Lal Thanhawla, the Chief Minister of Mizoram released a documentary film on Child Rights on 13th May, 2016 at Aijal club, Aizawl in presence of Justice Ujjal Bhuyan, the Executive Chairman, Mizoram State Legal Services Authority, Justice Michael Zothankhuma, Judge, Gauhati High Court, Judicial officers, Lawyers, Government officials and representatives of NGO. The Chief Minister in his address expressed hope that the evocative film will have a salutary effect on the children of the state. Justice Ujjal Bhuyan and Justice Michael Zothankhuma also spoke during the event. The Mizoram State Legal Services Authority in coordination with Childline, a NGO, organized a solidarity run in Aizawl on 14th May, 2016 for the victims and survivors of child abuse. Justice Ujjal Bhuyan was an enthusiastic participant in the solidarity run.

Refresher Training Programme for Legal Services Lawyers at Sivasagar on 14th and 15th May, 2016

The Assam Legal Service Authority organized a two day long training programme for Legal Services Lawyers of five Upper Assam districts at Sivasagar on 14th and 15th May, 2016. Justice Hrishikesh Roy, the Executive Chairman, Assam State Legal Services Authority inaugurated the programme where experienced lawyers acted as the resource persons. During the event of ASLSA, 120 Legal Services Lawyers from districts of Sivasagar, Tinsukia, Dibrugarh, Golaghat and Jorhat underwent the refresher training aimed at improvement of the lawyering skills.
The Gauhati High Court Legal Services Committee organized a day long Orientation Programme for Amicus Curiae and Legal Aid counsel of the Gauhati High Court on 4th June, 2016 in the Conference Hall of the Judicial Academy. Chief Justice Ajit Singh, inaugurated the programme. Justice Hrishikesh Roy, the Executive Chairman, Assam State Legal Services Authority in his address stressed on skill enhancement of the amicus curiae and legal aid counsel. Justice Arup Kumar Goswami, shared his experience of the learning process during his early days in the profession.

Justice Suman Shyam, the Chairman, Gauhati High Court Legal Services Committee delivered the welcome address and also chaired the working session. The eminent and successful senior lawyers Mr. Nilayananda Dutta, Mr. K. N. Choudhury, and criminal law specialist Mr. Angshuman Bora were the appointed speakers in the working sessions. Mr. M.A. Ali, Registrar (Vigilance)-cum-Secretary of the committee proposed the vote of thanks.

The role of an amicus curiae was to help the court by expounding the law impartially, or if one of the parties were unrepresented, by advancing the legal argument on his behalf.

— Lord Salmon in Allen Vs Sir Alfred Mc. Alpine & Sons Ltd
The Assam State Legal Services Authority in association with District Legal Services Authority, Bongaigaon organized a two day programme for the Legal services Lawyers from the lower Assam districts of Bongaigaon, Kokrajhar, Dhubri and Goalpara. In the programme organised at Bongaigaon Justice Hrishikesh Roy, Justice Arup Kumar Goswami, Justice Ujjal Bhuyan, who are respectively the Executive Chairman of the Assam, Arunachal Pradesh and Mizoram State Legal Services Authority addressed the legal aid lawyers. Experienced lawyers from Guwahati were the resource persons for the skill enhancement programme where 54 Legal Services lawyers actively participated so that they can proficiently conduct both Civil and Criminal cases and provide quality legal aid.

The Assam State Legal Services Authority in association with District Legal Services Authority, Jorhat organized a one day meet of the Secretaries of the District Legal Services Authorities of Assam on 23rd July 2016 at Jorhat. The programme was graced by Justice Hrishikesh Roy and Justice Ujjal Bhuyan, the Executive Chairmen of the Assam and Mizoram State Legal Services Authority. This event was organised to prepare for the mega programme for providing Prosthetic Limbs and other Assistive devices to differently-abled persons. Here professional inputs were provided by doctors and other experts to prepare the stakeholders under the Reach out & Respond programme. At the Jorhat function, the oldest surviving freedom fighter of Assam, Shri Debeswar Doloi was felicitated by the organisers.
The Department of Justice, Government of India in association with Assam Legal Services Authority organized a Regional Conference on Access to Justice on 29th July, 2016 at Guwahati. Justice Hrishikesh Roy, the Executive Chairman, Assam State Legal Services Authority in his inaugural speech highlighted the Reach out and Respond programme and also spoke on the scourge human trafficking and the difficult process of rehabilitation of the rescued victims. The officials from Department of Justice(GoI), LR and Secretary, Judicial Department, Government of Assam, representatives of the Judicial Academy, Assam, Criminal Investigation Department, National Institute of Public Cooperation and Child Development, State Commissions for Protection of Child Rights, District Legal Services Authorities participated in the programme at Guwahati.

**Refresher Training programme for Legal Services Lawyers of Zone –II on 30th and 31st July, 2016 at Tezpur**

The Assam State Legal Services Authority in association with District Legal Services Authority, Sonitpur organized a two day long programme at Tezpur for the Legal services Lawyers from Sonitpur, Dhemaji, Lakhimpur, Darrang and Udalguri districts of Assam. Justice Hrishikesh Roy, Justice Arup Kumar Goswami, the Executive Chairman respectively of the Assam and Arunachal Pradesh State Legal Services Authority, attended the training programme for enhancement of legal skills. Around 87 empaneled lawyers underwent training on different aspects of Civil and Criminal laws.

We educated, privileged lawyers have a professional and moral duty to represent the underrepresented in our society, to ensure that justice exists for all, both legal and economic justice.

— Justice Sonia Sotomayor, Associate Judge, Supreme Court of the USA.
The International Committee of Red Cross (ICRC) in association with the Judicial Academy, Assam organized a two-day long workshop on International Humanitarian Laws in the conference hall of the Judicial Academy, Assam. Justice Madan B. Lokur, Judge, Supreme Court of India steered the event which was inaugurated by Chief Justice Ajit Singh, of the Gauhati High Court. Mr. Jeremy England, Head of delegation ICRC Regional delegation, New Delhi spoke during the inaugural session and highlighted the humanitarian activities of ICRC.

The first working session was chaired by Justice Madan B. Lokur. During that segment, Prof. Manoj Kumar Sinha, Director spoke on Interplay between IHL and IHRL. The second working session was on Basic Principles of IHL which was chaired by Justice Arup Kumar Goswami, Judge, Gauhati High Court. Prof. Manoj Kumar Sinha, and Ms. Kirsty Welch, Regional Legal Advisor, ICRC were the appointed speakers on the topic. Justice Arup Kumar Goswami drawing analogy from the epic Mahabharata very lucidly explained the principles of fair practice even during war. The third working session on Human Rights Related Issues in North-East India was chaired by Justice Madan B. Lokur. During this phase Justice Hrishikesh Roy depicted the North-East scenario and analysed the humanitarian concern stemming from trafficking, displacement or even through development.
Justice N. Kotiswar Singh, Judge, High Court of Manipur spoke on human right issues vis-à-vis Armed Forces and highlighted the contributions of the Gauhati High Court and the Supreme Court in protecting human rights in North-East India. During the fourth working session Justice Ujjal Bhuyan, in his address stressed on Preliminary Assessment to be made by Juvenile Justice Board and pointed out that such assessment is a sub-classification within a classification. Justice N. Chaudhury, Judge, Gauhati High Court and Prof. Ved Kumari, Faculty of Law, University of Delhi highlighted on the provisions of the Juvenile Justice Act, 2015 and the amendments. The fifth and final session on Sexual Violence was chaired by Justice Hrishikesh Roy. During that segment, Justice Gita Mittal of Delhi High Court highlighted the short comings in the Court adjudicatory process on Sexual Crimes and the need of empathy of the Judicial Officers to be also extra sensitive, while dealing with child victims and young witness.
Inauguration of the Induction Training of new recruits by Justice Ranjan Gogoi, Judge, Supreme Court of India on 3rd September, 2016 at Guwahati

The Judicial Academy, Assam and North Eastern Judicial Officers Training Institute (NEJOTI) started the Induction Training Programme for the newly recruited batch at the entry level of the Assam Judicial Service. The year long training module was launched by Justice Ranjan Gogoi, Judge, Supreme Court of India. In his address, the experienced Judge highlighted on the attributes of a good Judge and the need for discipline and commitment to be able to contribute positively in delivering Justice to the litigants. Skill and capacity building and to be able to write brief judgment with clarity was emphasized by the speaker. Justice Gogoi spoke of integrity including intellectual integrity being sacrosanct and urged the trainees to imbibe the virtues of the Judge as enunciated by the Greek Philosopher, Socrates. The second segment was a lively interactive session where Justice Gogoi fielded many questions of the trainee officers.

In his speech Chief Justice Ajit Singh urged the trainees to avoid all bias and spoke of the necessity to be guided only by law and legal reasoning. Justice Hrishikesh Roy, Judge In-charge, Training welcomed and congratulated the trainees for opting for a judicial career and pointed out the essential attributes of judging. He reminded the trainees that the Judiciary needs those who value Judicial Career as a way of life and not just a vocation. The programme ended with a vote of thanks by Justice (Retd.) A.C. Upadhyay, the Director, Judicial Academy, Assam.
Full Court Farewell Reference of Justice (Dr.) Indira Shah on 16th August, 2016

The Gauhati High Court family bid farewell to Justice (Dr.) Indira Shah on 16th August, 2016 on her retirement. A Full Court farewell reference was held in court No.1 which was graced by the Judges of the Gauhati High Court, members of the Bar and officers of the Registry. The Bar members recollected the special contributions of Justice (Dr.) Shah towards the development of Criminal Law. Before her elevation, Justice Shah had the distinction of working as the first lady Registrar General of the Gauhati High Court. A farewell dinner was hosted in honour of Justice (Dr.) Indira Shah where the Judge and her spouse Dr. A. Prasad were the honoured guests.

Refresher Training programme for Legal Services Lawyers of Zone –III on 10th and 11th September, 2016 at Guwahati

The Assam State Legal Services Authority in association with District Legal Services Authority, Kamrup (Metro) organized a two-day long programme at Guwahati for the Legal services Lawyers from Kamrup, Nagaon, Morigaon, Nalbari and Barpeta districts of Assam. Justice Hrishikesh Roy, the Executive Chairman, Assam State Legal Services Authority inaugurated the programme. Justice Ujjal Bhuyan, Justice Manojit Bhuyan, Justice Suman Shyam made presentation for enhancing the legal skills of the legal aid lawyers. Around 220 lawyers of 5 districts benefitted from the programme where the resource persons shared their professional secrets.
Chief Justice Ajit Singh and the other Judges of the Gauhati High Court were present at the ceremony of laying the foundation of the underpass, connecting the old and new blocks of the Gauhati High Court. The event organised on 17th September, 2016 was attended by the Chief Secretary, Bar members, Officers of the Registry, PWD officials and others. The underpass is expected to be completed next year and it will ensure safe movements of Lawyers, Litigants and officials between the two buildings of the High Court.

1st Zonal Administrative Conference on 24th September, 2016 at Goalpara

The Gauhati High Court organized a Zonal Conference of the District Judiciary, the District and Police Administration of the Lower Assam Division, comprising districts of Kamrup (Metro), Kamrup, Amingaon, Nalbari, Barpeta, Bongaigaon, Chirang, Dhubri, Baksa, Kokrajhar and Goalpara, in the conference hall of the District and Sessions Judge, Goalpara. The Chief Justice and other Judges of the Gauhati High Court, the District and Sessions Judges, the Deputy Commissioners, the Commissioner of Police, Kamrup (Metro), S.Ps of the aforesaid districts and officers of the Registry attended the event. The conference discussed issues relating to the Monitoring Committee meetings, Appointment of Public Prosecutors, Withdrawal of cases, custody of valuables as well as, Narcotic drugs and Psychotropic substance, Infrastructure needs, the common issues of the Judicial officers, administrative office and police were discussed in detail. Various suggestions emerged from the participants and these were noted down to be addressed in a phased manner by all the stakeholders.
### THE CHIEF JUSTICE AND JUDGES OF THE GAUHATI HIGH COURT

#### Permanent Judges

<table>
<thead>
<tr>
<th>Sl.No</th>
<th>Name of Chief Justice /Judge</th>
<th>Date of Elevation</th>
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<tr>
<td>1.</td>
<td>Chief Justice Ajit Singh</td>
<td>05.03.2016</td>
<td>05.09.2018</td>
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<td>2.</td>
<td>Justice Hrishikesh Roy</td>
<td>12.10.2006</td>
<td>31.01.2022</td>
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<td>3.</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>5.</td>
<td>Justice Nishitendu Chaudhury</td>
<td>22.05.2013</td>
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#### Additional Judges

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<th>Sl.No</th>
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<td>1.</td>
<td>Justice Lanusungkum Jamir</td>
<td>01.03.1964</td>
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<td>2.</td>
<td>Justice M. R. Pathak</td>
<td>28.08.1965</td>
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<td>Justice Manojit Bhuyan</td>
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<td>Justice Michael Zothankhuma</td>
<td>23.10.1965</td>
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<td>Justice Suman Shyam</td>
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<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

PENDENCY, INSTITUTION AND DISPOSAL STATEMENT OF GAUHATI HIGH COURT

FOR THE PERIOD FROM 01.03.2016 TO 31.08.2016

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<th>Name of Benches</th>
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<td>5931</td>
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Excluding Misc. Cases

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### SNAPSHOT OF EVENTS

- **Justice N. Chaudhury** speaking on Legal Services to the disabled persons at Kohima
- **Mr K N Choudhury** and **Mr V K Chandak** distributing relief materials to the flood affected people on behalf of ASLSA