

National Judicial Academy

Programme Report

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P-894 Regional Judicial Conference on "*Strengthening Justice Delivery System: Tools and Techniques*" (East Zone: Calcutta, Guwahati, Sikkim, Manipur, Tripura and Meghalaya): January 30-01, 2015

PROLOGUE

The endeavour in this Conference is to make the judges think on the effective use of existing tools and techniques to strengthen the justice delivery system in the Conference. The main objective of this Regional conference is to reach out to a larger number of target audiences and apprise them of the various modes of strengthening the justice delivery system. This was done through interactive sessions with the eminent resource persons. Total 83 judicial officers from abovementioned six states participated in the conference. The resource persons in the conference included Hon'ble Justice Madan B Lokur, Hon'ble Justice Arun Misra, Hon'ble Justice Dipak Misra, Hon'ble Justice A. K. Sikri, Justice S. A. Bobde, Hon'ble Justice Altamas Kabir, Hon'ble Justice Ruma Pal, Hon'ble Justice H K Sema, Hon'ble Justice Manjula Chellur, Hon'ble Justice Deepak Gupta, Hon'ble Justice K Sreedhar Rao, Hon'ble Justice N Kotiswar Singh, Hon'ble Justice S. C. Das, Prof (Dr.) G. Mohan Gopal and Mr. Atul Kausik.

DAY 1

The theme of the **first session** was **Justice delivery system in India: An Overview**. Hon'ble Justice Altamas Kabir, Hon'ble Justice Ruma Pal and Prof (Dr.) G. Mohan Gopal were the eminent resource persons. It was delineated that the number of judicial officers in the subordinate judiciary has been increased to twice than it was in the year 2006. Allotment of funds by the government for judiciary has also been enhanced since last few years.

Prof (Dr.) G. Mohan Gopal stressed that the computerization is a very important tool for effective justice delivery system in India. He stated that about 40% of pending cases are less than one year old and about 25% of pending cases are more than five year old at national level. Thus, 75% of the cases are less than five year old. He further delineated that Hon'ble Justice Kapadia took the initiative to achieve the formula of 5+0 in order to combat the situation of reducing the cases which are pending for more than five years. As a result of which, it has been seen that about 1% of cases pending for more than five years has been reduced in 2011.

Prof (Dr.) G. Mohan Gopal further elaborated that cases can be categorized as "delayed cases" and "not delayed cases". He stressed that there is no straight jacket formula

or parameter to define a case as a delayed case and a case which are not delayed cases. He emphasized that the distinction can be done on the basis of the facts and circumstances and the nature of the case. For example if a case is consisting of various complicated legal situations and propositions, it is likely to take a long time to dispose. Then if such type of case is pending for five years or more, it should not be counted in the category of delayed cases. On the other hand, he emphasized that if a case is simple in nature and a reasonable time require to dispose of such case is one year then such type of case cannot be treated as delayed case before one year. However, if such type of case takes more than one year then it should be counted in the category of delayed cases. He further deliberated that cases can be classified into following categories which include: Filed and forgotten i.e. neglected cases, Subverted cases where one or either party misuse or abuse legitimate protection of the laws, cases which suffer from some kind of impracticability which are having some genuine problems in disposing of a case and complex cases which are difficult to decide because of conflicting High Court judgments.

The Hon'ble resource person delineated that if segregation of the cases can be done depending upon the circumstances and nature of the cases then such statistics will practically give the exact scenario of the Indian judiciary. He stated that frequent adjournment is one of the main cause due to which justice is being delayed and denied.

The hon'ble resource person stated that docket explosion is increasing due to the filing of new cases which should be welcomed as it provides information that India is growing and its literacy rate is increasing. He further remarked that in USA presently about 10 millions of cases are instituted in a year.

The theme of the 2nd Session was **Transforming our Justice Delivery System: From Legalistic to justice orientation.** Hon'ble Justice Altamas Kabir has emphasized that change in the attitude is very important in achieving social justice. Hon'ble Justice asserted that positive attitude is very much necessary to combat with the present situation to deliver Justice to the society at large. The law should be interpreted and given effect in such a manner so that the litigants get justice in real sense. Therefore it was emphasized by hon'ble justice that in order to march towards the justice orientation form legalistic orientation, the court should play a proactive role to achieve the integrity of the temple of truth and Justice. The hon'ble resource person asserted that law is for imparting justice to the society and therefore court as far as possible should hear both the parties before pronouncing a judgment. Hon'ble Justice further observed that Article 39 plays a very key role in upholding the truth of justice and suggested that the disposal of case through Lok Adalat,

arbitration, and mediation should be done for immediate and speedy relief. Sec. 89 of CPC was emphasized for the early dispensation of justice and it was unanimously agreed that section 89 CPC can stop the litigation at an early stage. Prof (Dr.) G. Mohan Gopal stressed that justice can be achieved only if judicial officers advance the value of the constitution while adjudicating any issue. He delineated that main point of the justice is the right conduct. He emphasized that Justice gives the concept of lawfulness and refers to set of eternal values in achieving the rightness. He deliberated that Justice can only be achieved within the established framework only if there is a greater conscience on the constitutional values and Constitutional values do not allow revenge. Concept and importance of National Court Management system (NCMS) was discussed in order to achieve the Justice oriented society. It was stressed that quality responsiveness and timeliness are the two most important elements for dispensation of justice.

The theme of the **3rd Session** was on **Strengthen Justice delivery system: Initiatives by Govt. of India**. Mr. Atul Kausik delineated that delay in justice starts when the person feels that he was subjected to injustice whether he comes to the court or not. The delay starts when he denies either by police authority or any other authorities.

Following points were deliberated as a matter of concern to ponder upon for getting effective justice delivery system:

1. Only 180 Gram Nyayalayas notified
2. Family Courts not established in all districts
3. No High Courts in three NE States
4. Bifurcation of High Courts of Punjab/Haryana, Telengana/ AP
5. High Court benches in large States
6. Appointments not commensurate with retirements
7. Pendency Reduced, but pace of reduction is slow
8. Need to implement Court Development Plans
9. Need to have:
 - (i) litigant friendly and disabled friendly court complexes.
 - (ii) Vulnerable witness deposition centres
10. Need to use ICT enablement for court and case management
11. Need for timely and complete data entry
12. Need to cover balance and new/upcoming Courts

He emphasized that government has allotted huge money to the judiciary as per the recommendations by the NJA and other authorities for strengthening the justice delivery system and government is always ready to help the judiciary in all the possible needs.

Sessions 4 was on Breakout Group Discussions and presentation by the judicial officers. It helped the participating judicial officers to reflect on some vital aspects for strengthening the justice delivery system.

Following points were deliberated during the course of discussion and presentations by **group 1**

1. Appreciation of the evidence should be done at the time of judgment writing.
2. It should be seen that Media trial should not influence the fair trial.
3. Special training to judges should be provided in cases IT offences.
4. Appreciation of e- evidences should be taken into consideration.
5. Hostile witnesses – all the evidences are not to be discarded.
6. Evidence appreciation in case of sole witness, Appreciation of dying declaration and its corroboration, the importance and relevance of section 11 of the Indian Evidence Act, recording of the statement under section 161 of Cr.pc by the police and its appreciation and also if primary evidences are destroyed then how the appreciation of secondary, circumstantial and medical evidences is to be appreciated was discussed.

Following points were deliberated during the course of discussion and presentations by **group 2**

The group emphasized the need of infrastructure into three heads:

First on Physical infrastructure need, following points were stressed: 1. Construction of newer court building and judicial quarters should be completed at the earliest. 2. In the State of Arunachal Pradesh, Meghalaya and Manipur where the bifurcation of executive and judiciary is new, the adequate infrastructure is the need of the hour for effective justice delivery system. 3. Keeping in spirit with the Disability Act, all court premises should be made disable friendly by constructing ramps and lifts. 4. ICT rooms should be made fully functional in all districts and should be linked with the jail premises. 5. Juvenile Homes and observations homes should be there in all districts. 6. There is a need for rest rooms with toilet facility for litigants and witness and potable water facility in all court premises. 7. Net connections and more number of Xerox machines are required in court premises.

With regard to Human resource Infrastructure following requirement was requested to be provided: 1. Skilled stenographers in all courts 2. Training for ministerial staff 3. Appointment of court managers in each district.

With respect to financial infrastructure it was stressed that financial autonomy should be given to the district judges to handle matters relating to infrastructure and utilization of allotted funds under different scheme.

Group 3 focused on the functions and responsibilities of court managers. The suggestions and concerns that came out from the discussions of **group 3** are:

1. The Court Manager shall function under the control and guidance of the Chief Justice in the High Court.
2. He shall work on policies and standards, based on applicable directives of superior Courts, establish the performance standards applicable to the Court (including on timeliness, efficiency; quality of Court performance; infrastructure; human resources; access to justice; as well as the systems for Court management and case management.)
3. He should carry out an evaluation of the compliance of the directives of the Court with such standards; identify deficiencies and deviations and also the steps required to achieve compliance. He should maintain such an evaluation on a current basis through annual updates.
4. He should in consonance with the rules and policies of the court and in consultation with the stakeholders of the Court which includes litigants, the Bar, ministerial staff and Executive Agencies supporting judicial functions such as prosecutors/police/ process service agencies should prepare, submit and update annually a 5-year court-wise Court Development Plan (CDP), for the approval of the appropriate authority which will help to achieve justice in real sense.
5. He should monitor the implementation of the approved CDP and report to the District Judge and the High Court for further improvement.
6. He should ensure that statistics on all aspects of the functioning of the Court are complied with and reported accurately as well as promptly in accordance with systems established by the High Court.
7. He should ensure that the processes, procedures, policies and standards established by the High Court for Court Management are complied with.

8. He should ensure that Case Management Systems are fully complied with the policies and standards established by the High Court.
9. He should ensure that the Court meets standards established by the High Court on access to justice, Legal Aid, Alternative Dispute Mechanisms and are user friendly.
10. He should ensure that the Court meets quality of adjudication standards established by the High Court.
11. He should ensure that Human Resource Management of ministerial staff in the court complies with the Human Resource Management standards established by the High Court.
12. He should ensure that the core systems of the court are established and function effectively which includes: documentation management; utilities management; infrastructure and facilities management; financial systems management like audits, accounts and payments.
13. He should ensure that the IT systems of the court comply with standards established by the High Court and are fully functional.
14. The Court Manager should be responsible in implementation, managing data entry and monitoring of the e-Court Project in the respective Districts.
15. He may be asked to do any other job related to the aforesaid functions as determined by High Court, District judge/nodal officer, depending upon exigencies of the situation.
16. He should perform all other administrative functions and duties as may be assigned by the Chief Justice in the High Court and the District Judge in the District Court from time to time.
17. He should report to the Chief Justice/ District Judge or any other Judge/ officer nominated by the Chief Justice/ District Judge and shall perform the duties as assigned to him from time to time.

It was further stressed that the Court managers are appointed only for two years. So they are not at all interested in discharging their functions. They have no service rules. Their appointment letter has been issued by the registrar general of the High Court. Therefore they are not under control of the district judge. The Court managers have to be provided with the proper training relating to proceeding of the court so that their effectiveness can be increased.

Time Management Issues in Disposal of Cases was the topic on which the **group 4** discussed and made presentation. Following are the deliberations that have taken place during the discourse:

1. Courts time is limited therefore judicial officers have to be very tactful while recording evidence so that the case may be dispose off within the time frame. He should control the irrelevant cross examinations and should be very assertive. The chief examination and cross examination as far as possible should be considered in one go. Once cross examination starts the court should try that no adjournments is to be given.
2. Court should classify the cases and allocate time to each case in order reach speedy and effective justice.
3. Classification and Prioritization of the cases is very necessary for the effective disposal of a case within the time framework.
4. Effective management of the Bar is also necessary for timely disposal of a case and written arguments should be invited from the advocates in order to achieve timely justice.

The participating judges of **group 5** deliberated on the issues and challenges of Bench & Bar relationship. The judicial officers reflected that both are the vital pillars on which the foundation of the judicial system lies. Healthy relationship between Bench and Bar is indispensable. Moreover on a regular basis such relationship face challenges. Sometimes learned advocates become dissatisfied with the decision of the judges. Sometimes judges become disgruntled with the members of the Bar. The judicial officers are accountable for their acts, however, the same is lacking in the case of the lawyers. The Judicial officers are like the guests in their tenure and are prone to be over powered by the lawyers with their continuous proximity with the staffs and other functionaries of the legal system.

The advocates tend to be happy when judgments and/ or orders are passed in favour of their clients and unhappy when the contrary happens specifically in case of bail applications.

Another highlighted common point of confrontation between the Bench and the Bar was adjournments. It was suggested that bench should maintain a standard system in granting adjournments based on the merit of the prayer rather on the seniority of the advocate praying for such adjournments.

At times the relationship between the Bar and Bench are strained due to the attitude of the Bar towards the Bench, forgetting that the Chair symbolizes an institution recognized by the Constitution of India and not any individual. Sometimes the Bar tests the patience of the presiding officer of a court and unfortunately unjust comments are made. In fact any disturbance to the healthy relationship of the Bar and Bench affects the interests of the clients.

However, despite all these issues it was suggested that Bar and Bench should try to work harmoniously, for the interest of the justice. As members of the Bench and Bar, both are jointly committed to the pursuit of justice.

It was suggested that some common training programme should be organized to sensitize both Bench and Bar in order to improve the relationship and bond between them as both the judges and lawyers are to take care of the cause of the society by delivering justice.

DAY 2

Session 5 was on **Problems ailing the criminal justice system: How to overcome these problems;** Hon'ble Justice Arun Misra pointed out that in the present circumstances, criminal justice system has been infected with several predicaments. A judge is more concerned about his units and quotas than the administration of justice. Several excuses are given to justify the same.

It was emphasized that plea bargaining, though recognized by law, has not been widely accepted in our criminal justice system the way it ought to have been. It was also pointed out that the concept of plea bargaining was recognized even under 'Manu Smriti'. For effective criminal justice system, plea bargaining should be resorted to in due course.

Low conviction rate was also cited by the Hon'ble resource person as a major area of concern in the criminal justice system. It was accentuated by the Hon'ble resource person that the courts should be duty bound to render effective monitoring on the process of investigation. At the same time the courts should make maximum endeavour to ensure fair trial of cases.

It was also highlighted that the issue of unnecessary adjournments in criminal cases should be dealt with firmly and tactfully in accordance with the principles laid down in the case of Vinod Kumar v/s State of Punjab.

The Hon'ble Justice also cited the provisions of section 165 of the Indian Evidence Act and emphasized that the judge in a criminal court should take all possible endeavours to bring out the truth rather than to act mechanically.

At the same time, the Hon'ble speaker also stressed the need of corrective steps to be taken by the courts for transformation of the accused.

Hon'ble Justice H K Sema pointed out that the present law is adequately elastic to fill up in every situation. The need is to utilize it according to situations, for providing substantial justice.

It was emphasised that judges should treat themselves as servants of public. The courts should take special care for recording demeanour of the witnesses which help in effective dispensation of substantial justice.

The Hon'ble Justice also stressed that the powers conferred upon courts are coupled with similar amount of responsibilities on its part. The courts are duty bound to save the institution from being crumpled from inside. It was also emphasized that some mechanism needs to be devised to impose curb on unnecessary or generous adjournments as laid down in the case of 'All India Judges Assn. v/s Union of India'.

Hon'ble Justice K Sreedhar Rao pointed out that in the present scenario, criminal justice system is crumbled due to political pressure. Investigations are done under political pressure and the provisions of section 161 of the Code of Criminal Procedure are abundantly abused. The Hon'ble speaker also pointed out that in the prevalent criminal justice system, it is seen often that law fails the judges. It was also laid that the scope of plea bargaining should be increased to encompass heinous crimes as well. The plea bargaining should have provisions for awarding lesser punishment.

It was delineated that the field of compensation to victim should be explored. In the opinion of the Hon'ble speaker, the sentencing policy in the Indian judicial system is not conducive and full proof. Hon'ble Justice N Kotiswar Singh also expressed the need of monitoring of investigation by courts in effective manner as laid down in the case of Sakiri Vasu v/s State of U.P. It was also discussed that the provisions of section 311 of Cr. P.C. should be utilized in an effective manner.

The Hon'ble resource person also spoke about the need of better management of court. It was opined that the courts should endeavour to classify the cases by nature in order to overcome the menace of pendency. The provisions of sections 436A, 291, 291A, 293, 294, 295, 296, 299 Cr. P. C. should be explored for better management of criminal justice system.

Hon'ble Justice Altamas Kabir laid down the need of refresher training for the judicial officers from time to time, for better administration of criminal justice system. It was also emphasised that the accused must be made to take the responsibility in terms of the provisions of section 273, 209 Cr. P. C. if he absconds after framing of charge.

The theme of the **Sessions 6** was on **Reducing the life of Civil Litigations: Tools and Techniques** Hon'ble Justice H.K. Sema stressed on the need of invoking section 89 of the Civil Procedure Code along with Legal Service Authorities Act as a tool for reducing the life span of civil litigation. Justice Sema delineated that the provisions of O7 R18 and O8 R10 may also be resorted for the purpose of discarding the documents not produced by the parties which ought to have been produced and a judgment should be pronounced without any delay. Hon'ble Justice Arup Kumar Goswami expressed that in order to reduce the lifespan of civil litigations, there should be smooth communication between the stakeholders and enhanced court management skills should be used. Justice Goswami also opined that a Judge should take proactive role in the court for the disposal of cases in a judicious manner. Prof. (Dr.) G Mohan Gopal emphasized on Special list system with a view to curtail the life span of civil litigations.

In **session 7** Hon'ble Justice Deepak Gupta has delineated on the ADR mechanism as a tool for timely justice. He emphasized that long pendency has lead common people to loose faith in justice delivery system. He highlighted the importance of section 89 of CPC in justice delivery system. It was stressed that if dispute is resolved through ADR then there is no possibility of appeal or counter case. However, it has to be seen that what cases should be sent to ADR and at what stages it can be referred to. It was also discussed that many times arbitration become more time consuming and expensive. For family and matrimonial matters, all attempts should be made to resolve the dispute through conciliation. It was discussed that advocates usually don't want to settle the dispute. Such advocates should be discouraged and should be dealt tactfully. Litigants should be made to understand the importance and usefulness of conciliation and mediation.

Hon'ble Justice Dipak Misra has discussed the following mechanisms of ADR: (I) Lok Adalat (ii) Mediation and (iii) Judicial settlement and arbitration.

Hon'ble Justice emphasized that Judges are required to identify the categories of cases that can be settled through Lok Adalat or other tools of ADR. For such identification they are required to be equipped with the deep and through knowledge of legal principles that is to be applied for administration of justice and they should show patience while resolving such

disputes through Lok Adalat or other tools of ADR. Hon'ble Justice further stated that Judge should not take judicial approach in settling the disputes through Lok Adalat and judicial coercion is not acceptable. There is a need to read the psychology of the litigants at the time of resolving disputes through Lok Adalat. Local Orientation matters a lot in the mindset of the litigants in approaching Lok Adalat System. No target should be fixed by the judge and every case is to be approached humanely. Emphasis is to be given to pre-litigation stage to resolve the dispute.

Hon'ble Justice further stressed that through Mediation many disputes can be settled. Many corporate disputes have been settled through this mechanism. Justice further delineated that earlier many disputes got resolved through the suggestions of reputed local personalities when people used to listen to them. Now values have changed. Therefore, trained mediators are the need of the hour to settle the matter or dispute amicably and effectively. Hon'ble justice also observed that there are many cases where litigants are fighting for trifling cause. In such case a Judge should suggest settlement and ways thereof to the litigants. 50% of cases can be resolved through this mechanism.

The theme of **session 8** was **Judicial Initiatives for litigant friendly environment in the court**. Hon'ble Justice A. K. Sikri deliberated that litigants of either sides approach the court expecting justice and court cannot ignore their interests. The ultimate stake holders are the litigating parties. It is the lawyer who files petition on behalf of the litigants. The litigants generally sit at the back. Only in the stage of evidence they come forward and depose and have interaction with the court. Even then also to a certain extent they are being tutored by the advocates. Sometimes even when they come and express their grievance personally to the court they are being turned down and their respective lawyers are heard. Hon'ble justice suggested that a judge has to see that the ultimate stakeholder i.e. litigant should not at the cost of the lawyer. However, Justice also stated that Bar and Bench are the two wheels of a vehicle and efficient Bar is an asset to the Bench in justice delivery system.

Hon'ble justice observed that adjournments at the time of cross examination may lead to miscarriage of justice and should be avoided. Mediation an effective tool for justice delivery system was also discussed. It was observed that in order to be an effective mediation the patience must prevail among the mediators. Since in case of mediation matters get settled out of court chance of hearing should be given to the parties. Types of the witnesses were also deliberated in the discussion. It was suggested that endeavor should be made to a witness friendly environment. Special focus was given upon child witnesses and the tenderness with which they are to be dealt with. There shall be separate rooms for the

witnesses and the intimidating atmosphere may be avoided by not exposing the witness to the probable threat.

Hon'ble Justice Arun Mishra stated that the litigants are ignored in our judicial system however; the system is made for them. Adjournments are the prevailing practice in our court procedure. Advocates are handling many cases at a time so many times they seek for adjournments from the court. On the other hand litigants do not have any interaction or part in the judicial process and they stand outside. The litigants often do not have any idea of the proceeding that are being carried out and to their utter surprise day after day they are being informed by the clerks about the next date only, which makes the litigant frustrated. Hon'ble justice stressed that fair trial should be ensured. A Judge being the deity of temple is supposed to be impartial. Witnesses, who come to the court to help in getting a just decision, often get disheartened by the unfriendly atmosphere of the court. It is the duty of the judge to make the court litigant friendly.

The provision of Art 39A of the Constitution was discussed. It was suggested that when a litigant is not represented it would be the duty of the Court to ensure that the litigant is represented by efficient lawyer at the cost of the state. It was emphasized that access to justice is not to be denied. Court is to respect the lawyers but is not required to turn itself lawyer-friendly. In fact it is far more necessary for the court to be litigant-friendly and witness-friendly. It was suggested that problems are to be dealt at the grass root level. Language of the court is required to be understandable to the litigants. Litigants would be made aware of the stages of their case, dates, orders etc. Hon'ble Justice further stressed that Computerization in the justice delivery system is expected to make the system more transparent and litigant-friendly. Video conferencing can overcome the problem of the witness to travel distances and can make the system more litigant and witness friendly.

During the discourse Hon'ble Justice Manjula Chellur showed the concern about poor infrastructure, pressure of disposing of a case in a more speedier manner when there is a pressure from the side of the litigants and advocates. Hon'ble justice said that the expectation is always upon the judges to keep themselves cool and peaceful in all situations. Their expression, behavior and mode of conduct are expected to be of much higher stature. It is important to portray the image of the judge in a positive manner. They should be provided with facilities for optimizing their performances. She further stated that efforts should be made to uplift and restore the values of the society. Human touch in delivery of justice system is to be given. Hon'ble Justice delineated that important person, in the mind of litigant, is Judge not the lawyers. Judge's expression definitely has an impression in the

mind of litigant. Hon'ble Justice expressed that judges are the role model of justice delivery system and the image of district and subordinate courts is the image of judiciary at large.

Hon'ble Justice highlighted the following points in her deliberation on Judicial Initiatives for Litigant Friendly Environment in the Court:

1. Character and attributes of the Judicial Officers; court-staffs and other functionaries of the courts
2. Role of lawyers;
3. Accommodation for the litigants in the court premises;
4. Sanitation and drinking water;
5. Legal Aid Centers;
6. Causes for the delay in disposal of cases;
7. Dealing with the witnesses fairly and effectively;
8. Efficient case managements;
9. Strengthening ADR;
10. Self help centers;
11. Ramp in every court for disabled people;
12. Special litigant-friendly arrangements under certain enactments;

Overall the participant judges are benefitted from the deliberations and presentations made by the Resource Persons. Hon'ble Justice suggested that there shall be a national policy in respect of the initiatives to be taken for making the courts environment litigant friendly. It was requested National Judicial Academy to take up the issue at appropriate level so that national policy is formulated on the issue for the benefit of litigant community of the country.

DAY 3

Session 9 was on **Use of ICT as a tool for speedy Justice**. Hon'ble Justice Madan B Lokur emphasized the use of ICT in the judicial system for administration of speedy justice. Hon'ble resource person also laid down that the term ICT is not limited to computers only; it also includes use of video conferencing, mobiles and many other tools which can be utilized for imparting speedy justice. It was also emphasized that even the use of computer is not confined to the use of word processor only. It is much more than writing judgment and orders on a word processing program.

Hon'ble Justice stated that the e-Courts Project had brought about considerable transformation in the approach of the working of judicial system in India, both, inside and outside the judicial domain. It was emphasized that due to the implementation of e-Courts Project, workload in the courts has significantly come down. It had also resulted in the increase of filing of cases which shows retrieval of public confidence in the judicial system. It was stressed that NJDG (National Judicial Data Grid) provide more information to the litigants and other stakeholders and cast additional responsibility on the courts, on the other hand.

Hon'ble resource person delineated that ICT tools were being used to provide case related SMS delivery service to the stakeholders and were also being utilized for better management of cases. ICT is also being utilized to create and share library information maintained in different courts. Digitization of records and availability of Wi-Fi connectivity can also be obtained by utilizing ICT tools. Use of videoconferencing not only for the purpose of production of accused persons but also for recording evidence and trial of cases can be achieved by utilizing the ICT tools.

GPS coordinates have been used to locate the court complexes for the benefit of the litigants. The session was concluded by stating that every district court has its own website where a number of information is available.

The last **session 10** was on the Public law lecture delivered by Hon'ble Justice Ruma Pal. The lecture covered the sphere of public and private laws. It was laid down that Public Laws define the sphere of the activities of the Government. It also regulates the corresponding spheres of relationship between State and the legal bodies, individuals and groups where as private laws regulate disputes between individuals.

Hon'ble Justice highlighted the power conferred by the Constitution of India to issue writs in the nature of Mandamus. It was also pointed out that a writ in the nature of Mandamus can be issued if there is specific breach of any statutory obligation.

It was also stressed that the scope of the power of judicial review flowing from the provisions of the Constitution reaches out to embrace private laws as well, if it were found to be in contradiction or violation of the fundamental rights guaranteed by the constitution of India. The Conference concluded with the vote of thanks by Hon'ble Justice Indira Banerjee.