

CONFERENCE ON FUNCTIONS OF REGISTRAR (JUDICIAL)

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VERBATIM REPORT

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(NATIONAL JUDICIAL ACADEMY)

BHOPAL

Session 1&2

Dr. Geeta: please introduce yourselves.

- Rekha Agnihotri Joint Registrar (Judicial), High Court of Allahabad, Lucknow Bench
- Shameem Akther Registrar Judicial, High Court of Hyderabad for the state of AP & Telangana
- Vijay Shankarrao Kulkarni Registrar Judicial, High Court of Bombay Bench at Aurangabad4 Ravindra Madhusudan Joshi Registrar Judicial, Bombay High Court
- Shakti Singh Rajput Addl. Registrar (Judicial), High Court of Chhattisgarh, Bilaspur
- Ranju Medhi Joint Registrar (Judicial), Gauhati High Court
- A.P. Thaker Registrar (Judicial), High Court of Gujarat, Ahmedabad
- Jammu & Kashmir Ms. Nighat Sultana District Judge, J&K Judicial Academy Jammu,
- Jammu & Kashmir Mr. Mohammad Ashraf Malik Principal District & Sessions Judge, Bandipora,
- D. N Tiwari Joint Registrar (Judicial), High Court of Jharkhand
- Padmaraj N. Desai Registrar (Judicial), High Court of Karnataka, Bengaluru
- Pankaj Gaur Registrar (Judicial), High Court of Madhya Pradesh, Jabalpur
- Ilangovan. G. Registrar (Judicial), Madras High Court, Madurai Bench
- Golmei Gaiphulshillu Registrar, High Court of Manipur, Imphal, Manipur
- Debasish Nayak Registrar, Judicial, Orissa High Court
- From Punjab & Haryana ,Krishan Lal Bansal Joint Registrar (Judicial),
- Narender Dutt Registrar (Judicial), High Court of Uttarakhand

Dr. Geeta: So welcome all of you, I am professor Oberoi here, Geeta Oberoi and also presently doing another assignment of director in charge.

Justice A.C Upadhaya: I am a retired judge of the Guahati High Court, after my retirement I am working as the director of the judicial academy in Assam.

Justice Dharnidhar Jha: As u know from this discription, Dharnidhar Jha, I was a judge in Patna High Court, i served the Allahabad High Court also, the gentleman from Allahabad, would know, I have not served the registry in any capacity but my exprience of 9 years since I have been in two high court, that imparted a lot of experience to me and may be , I know the situation of Allahabad High Court, I was working there for 6 27 months, nice to see all of you and meet all of you and have a very good time.

Dr. Parul Rishi: I am Parul, I am a professor of physiology.

Dr. Geeta: We have met second time in this academic year, and the objective of the programme is very clear, there was a conference in the month of August itself for Registrar?(Judicial), and then again we have asked the registrar judicial's to come, ofcourse the second programme had objective that, as you all know and Ruchi the programme coordinator must have briefed you all, that we want that, see that if we can come to some common uniform and accepted which are, like if everyone consents on those principles then we can adopt those as regarding role and function of registrar judicial in each high court, and that model can be submitted to CJCM conference, because this time as we have seen that the NJA has for the first time has invited registrars and all kind of registrars, inspection, IT, judicial, RGs, and also miscellaneous, so objective is ofcourse that there are two programmes, in one programme we tried to give some kind of skill enhancement in the sense that whenever you are in the administration side you need certain skills like management or administrative skills, so some sessions always touch on those aspects, and other sessions are on the working as such of those posts because you will not remain or all of us will not remain always on the same post, but the position will remain there always. Whenever we are deciding of thinking that what should be the model rules we should think not about ourselves because after two three years we will be somewhere else but how this position will continuously over the years function, because you have experience your own experience as to what are the difficulties and why streamlining is necessary so with this object, very furistic prospective we should have when we are framing this draft model rules, not for ourselves but for our future generation, we begin todays technical session, ofcourse Honourable Justice Upadhaya and Justice Jha would be there with us for three days to chair the session because they have large experience because they both have been working as High Court judges, and they have large experience as to how one can solve their day to day working problem, but now we give it to Parul Rishi who will be telling us what are

leadership qualities, what are the skills and how they can be helpful to us, so today we skill based sessions we have two experts, one is coming from Karnataka and then Parul, we are fortunate that she is here at the Indian School of Forest management just across the road and we just pull her whenever we want her and with this I am giving to you, any other issue regarding your stay or any other problems you have Ruchi, she can assist you, so without wasting time we should start our technical session, Parul its is your call.

Dr. Parul Rishi: very good-morning to all of you. We are going to spend two hours together knowing that all of you are already leaders, still I will just share some of my experiences being a student of psychology regarding leadership skills regarding how we can be a little better leader although all of us have our own style of leading the group wherever we go, but still there is no end to working, we can definitely draw certain things out of whatever others are practicing, the best practices at different places, in the way that it suits you because we are not some doctor that we can give prescription, we only provide a basket of choices and you can pick and choose which one suits best, in your particular area, so with this brief big round we will just share, see there is a small sheet with you already and that is basically about the behavioural style which plays a very important style in the way we lead the group, so please take not the second sheet but the first sheet, personality profile on which it is written, so this single sheet just there are two ends to it, at one side it is written casual about appointment, casual it means that it is ok, that there is specific time to go at a particular place, sometimes I can just be a little casual and be at ease if it is required, on the other side never late means no matter whatever happens you just stick to not being late and you are very particular about it, so if you are too casual you will write circle number 1 if you are too strict to not being late you will tick circle number 7, and in between any number you can circle, it is a continuous scale. You take 5 mins time but whatever you do most of the time you must try to reflect that through these numbers, and just call me if you are not clear about any of the terminology given.

(Personality Test was taken)

—Casual about Appointments 1-----7 Never late
—Not Competitive 1 -----7-Very Competitive
—Never Feel Rushed 1-----7 -Always Rushed

- Take things one at a time 1----7 Try to do many things at once
- Slow doing things 1-----7 -fast doing things
- Express Feelings 1-----7 -Sit on Feelings
- Many Interests 1-----7-Few Interests outside work
-
- Add the numbers selected for each statement and multiply by 3

After circling all the numbers you have to just total them and multiply by 3, if number is coming 30 it will be 30 into 3 that is 90. Whatever number you have circled keep on adding them.

120 and Above A	Hard Core Type
100-119	Type A
80-99	AB
60-79	Type B
40-59 B	Hard Core Type

Dr. Parul: All of you done? ok. So being a leader most important thing that comes into picture is our own style, our own personality, what kind of person we are, you will find that people who are working under you or your subordinates, they treat the same group of people in their distinctive way, I cannot say whether it is right or wrong, but that distinctive way is basically the reflection of our unique kind of personality that we have, we do not treat people as they are most of the time we treat them as we are, the way we expect, our expectations, our way of looking at people, our interpretation of those person's commitment for work or whatever it is, and that becomes a major blockage that sometimes we are not able to understand them the way they are, rather we try to see our reflection, our commitment our way of interpreting the whole scenario, and that is what personality plays a very important role in. You will find that you have already done. What makes an organisation successful, if you want to run a successful organisation it starts with leader, we all are leaders not just now, but from years and years we have been the leaders, but our personality plays an important role in the way we lead the group, our motivation, how motivated we are, and that reflection, the people that you energize the group, motive them, so that they come out of the

various inhibitions and blockages that they have and try to give their best to the organisation that they are working in. So communication plays a very important role in that, many times certain people who are very good leaders very keen, very caring for their subordinate and people but their style of communication is like that that people are not taking them the way they are, the kind of miscommunication that people are not able to understand their good intention to care for them to provide them right guidance and support and that makes a huge difference, you are a very nice person very good person but you are not liked by others because you are not able to communicate your real self.

Features of type A:

- TIME URGENCY
- LIVE IN DEADLINES AND STICK TO THEM
- AGGRESSIVE COMPETITIVENESS
- HOSTILITY & MISTRUSTFULNESS
- WORKALCHOLISM
- PERFECTIONISM

What makes the organizational Successful?

- their personality
- their motivations
- their way of leading the team
- their way of communication
- their way of decision making
- their way of handling the crisis
- their way of managing the conflicts

Features of a leader comes into picture when the crisis comes, when there is very less time, when something has to be done in a very short period of time, everyone is on their toes and you are playing a leadership role, so how you will bring that group out of crisis, and get the things done that becomes the quality of an effective leader, the person who can steer the whole process the way it needs to be.

On managing conflicts, most of the time when everything is going fine, leader is not very required kind of person, if everything is going fine, but the irony is that things do not move in a smooth manner, that is why the role of a leader becomes very very crucial whenever there are crisis, whenever there are conflicts people are not getting along well with each other and that is causing a kind of difficulty in running , then the role of a leader comes into picture, so this you have already seen and I will now explain you how personality and leadership interacts with each other. We have already done our personality assessment and we know a little about leadership although we all are practicing it.

Type A personality (hard core anyone?) such people have time urgency, they want things to be done very quickly. They live in deadlines and stick to them. Again you say:

Features of type A:

Time urgency

- live in deadlines and stick to them
- aggressive competitiveness
- hostility & mistrustfulness
- workaholicism
- perfectionism

Dr: Parul Rishi: These are the following three steps:

Step 1: Motivation

- ▶ Do you believe any of your Type A behaviour increases your risk to coronary problems.
- ▶ **Answer of A's** It will never happen to me.
- ▶ *Prior occurrence of a heart attack, A's are notorious for denying their tendencies and for refusing to alter life styles*
- ▶Logon Wright
- ▶ (APA, President)

Step 2: Awareness

- **When to rush**
- **When to rest**
- **When to back off.**

Step 3: Practice

- Develop alternative beliefs
- Gain confidence in using them

Dr Parul: Leading the Subordinates....Exercise

- What are your major challenges while dealing with people?
- What if they don't prepare the case notes in time?
- What if they take leave on crucial dates?
- What if they do not keep the records properly?
- ?
- ?
- How do you address those challenges?

Dr. Parul: There were earlier days when leadership started with the leaders, but these days we say that leadership started with the followers and ends on the leader and in between comes the whole scenario in which the whole leadership process is taking place.

It is like this:

Carrot or stick?? Or something else?

Leadership as:

1. A process
2. A Property

Please look at the following slides:





There were earlier days when leadership started with the leaders, but these days we say that leadership started with the followers and ends on the leader and in between comes the whole scenario in which the whole leadership process is taking place.

It is like this:

We have two types of motivation one is intrinsic and another is extrinsic. In intrinsic is what comes from within and extrinsic is when you give something work is done, if you don't give then work won't be done, so carrot is basically is an extrinsic motivation and its effect is not that long term but to start with any activity, to be a motivated effort for a person we have to start with the carrot that is required but we should know how to just withdraw the carrot and make the interest of that person sustainable and that cannot come by just giving extrinsic motivation again and again. There are certain activities which are intrinsically satisfying, forget about your subordinates, think about you what is intrinsically satisfying for you, and think about yourself for one minute what pleases you? What you actually want to do what makes you happy and satisfied. Please share with everyone.

Participant: Working hard honestly satisfies me.

Dr. Parul: this is intrinsic motivation that is speaking, forget about work also, and just think on what makes you happy. For some may be being with family. You have to think about it. We have to find out time.

Buffer activity is very important.

Participant: madam it so happens that when we join the judiciary our cycle starts at 7 a.m and day ends at 5 o clock, and again after that we will have some other work, judicial work only

Dr. Parul: Agree. that a cycle of everyone's life. I am not giving any statement that you should escape from work, you can do exercise, you can meditate, you can listen to music.

Leadership as a property:

1. **Broader Perspective**
2. **Clarity and Focus**
3. **Social Sensitivity**
4. **Long-Term Orientation**
5. **Ability to Influence**
6. **Initiative**
7. **Ability to withstand pressure**
8. **Ability to take criticism**
9. **Adaptability**
10. **Decisiveness**

I will tell you a short story about a crow, rabbit and a fox:

A crow was sitting on a tree, doing nothing all day. A small rabbit saw the crow, and asked him, "Can I also sit like you and do nothing all day long?"

The crow answered:" Sure, why not."

So, the rabbit sat on the ground below the crow, and rested. All of a sudden, a fox appeared, jumped on the rabbit and ate it. The management lesson that can be drawn from this is:

1. To be sitting and doing nothing, you must be sitting very, very high up.
2. Is it true that always the one who is sitting at the top is a good leader?

What you do when you are sitting high which others can't do?

- You have a Big Picture of organization
- You are able to assess risks, save your employees
- You communicate well with your employees
- You treat everyone as per their potential, not always equally.
- You take right decisions based on that judgement

Let us focus on something called leaders v managers. What makes them distinct from each other?

Consider this slide. Managers do the following things:

- **Managers- Subordinates**

- Manage Task
- Short Term
- Work on objectives
- Formal Authority
- Head
- Control
- Reactive
- Plans details
- Gives Blame

Whereas leaders are actually followers.

- **Leaders– Followers**

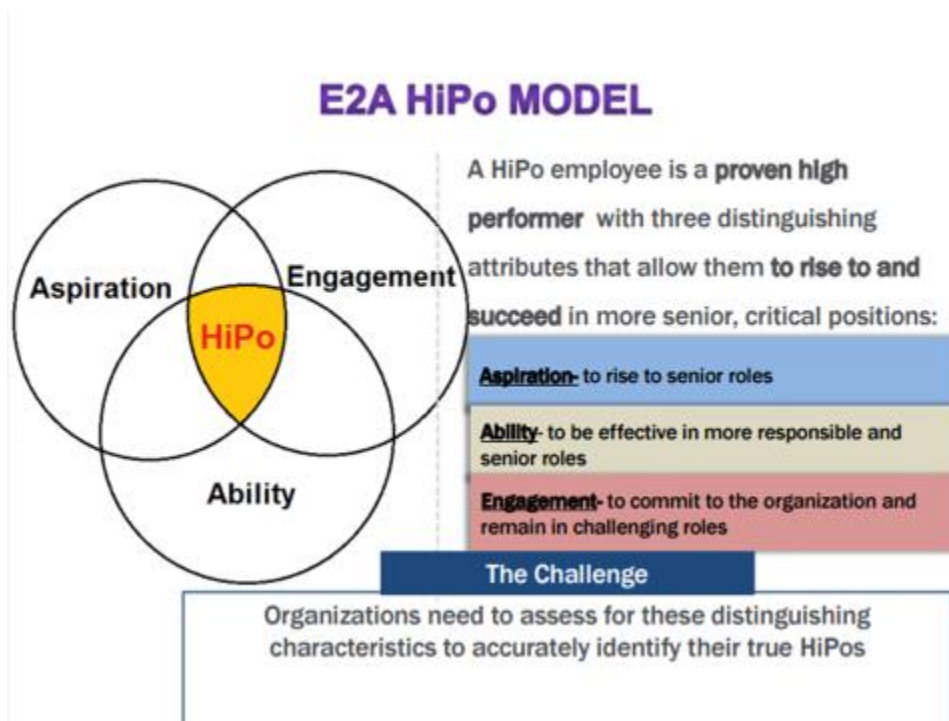
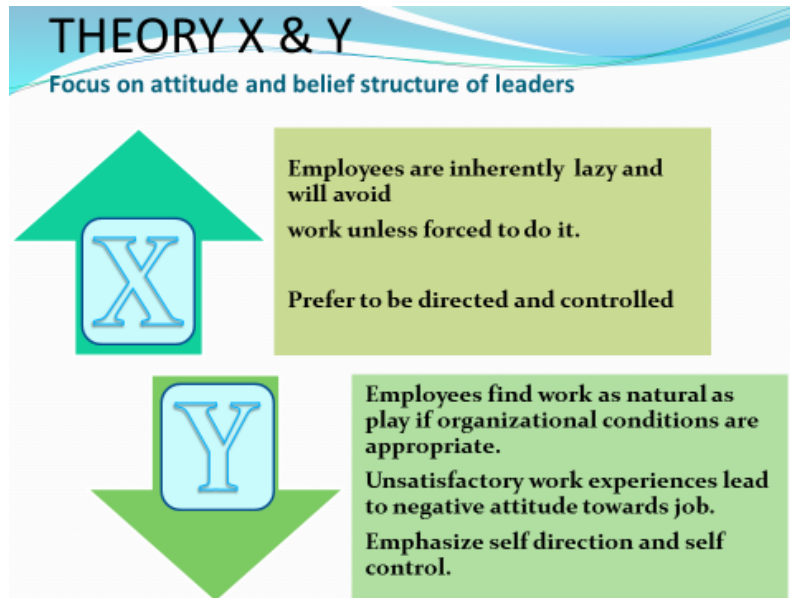
- Lead People
- Long Term
- Work on Vision
- Personal Charisma
- Heart
- Passion
- Proactive
- Sets Direction
- Takes Blame

Dr. Parul: I just want to be the leader like my leader so that I can just take the blame of others.

Often times the most influential leaders in our lives are not famous or well known. They are ordinary people who do extraordinary things (no matter how small) and make an indelible impact in our lives. These are the true people in our lives that we look up to. Take some time to think about these phenomenal people. Why do you look up to them? What qualities do they exhibit that make them invaluable leaders in your life? How do you want to emulate them? Thinking through this activity will allow you to develop a list of leadership qualities that you feel are important to possess to be a “good leader”.

there are certain theoretical issues connected to leadership and then again I will ask to share your aspect. there is this theory X and theory Y, it has nothing to do with the chromosomes, it has to do with people.

(please look at the following slides)



Dr. Parul: So how do we lead , let us see, another tool is there with you, this is the answer sheet, please distribute this sheet to everyone, we know that there is different types of style, leadership and decision making styles

Such as:

1. Autocratic Style (Dominating)/
Persuasive Style (Influencing)
2. Consultative Style (Involving)
(One-to-one/In a Group)
3. Democratic/Participative Style
Delegating/Empowering

So you have twelve situations in front of you, we will take a test. Ok we can break for tea for 5 to ten minutes and then we will come back.

So this is a small exercise with you and mixed certain situations are given, and you have to just find the alternative action to that situation if you come across, you may find some of the situations not exactly the way you are operating, but try to fill that.

(Exercise was given to the participants)

Dr. Parul:

And when we talk of situational leadership it is: At its core, Situational Leadership provides leaders with an understanding of the relationship between an effective style of leadership and the level of readiness that followers exhibit for a specific task. But, it does much more than that ...With application across organizational leaders, first-line managers, individual contributors and even teams, Situational Leadership utilizes task specificity to serve as a mechanism through which leaders maximize their influence-related impact. We call these individuals “situational leaders” and would contend that they are critical to the success of any organization.

More specifically, situational leaders: Maintain an acute awareness of their innate leadership-related strengths and areas for development – critical skill sets in working in high-performing organizations, Conduct highly effective coaching conversations by understanding when a particular leadership style has a high probability of success and when it does not, Skillfully influence up, down and across the organization by knowing when to be “consistent” and when to be “flexible”, Create more productive teams/organizations by accelerating the development of individuals that are new to their role and/or are learning a new task, Develop engaged, committed

employees by effectively recognizing and proactively addressing the dynamics of performance regression, Effectively drive behavior change and business results by communicating through a common, practical language of leadership, In simple terms, a situational leader is one who can adopt different leadership styles depending on the situation. Most of us do this anyway in our dealings with other people: we try not to get angry with a nervous colleague on their first day, we chase up tasks with some people more than others because we know they'll forget otherwise.

Dr. Parul:

Let us consider the skills of an effective leader:

- Clarity and Focus
- Ability to Judge People
- Ability to develop People
- Emotional Stability
- Adaptability
- Effective Communication Skills
- Ability to take unpleasant Decisions
- Humility
- Ability to keep others before self
- Emotional Intelligence

And the common complaints are:

- Lack of social skills, motivation to keep learning, and inability to take criticism
- Leads to plateaued or derailed careers because of crucial gaps in EQ (EI)

(Now look how the slide shows)

TWO VIEW POINTS ABOUT EQ	
Traditionalists	High performers
say that emotions	say that emotions
<ul style="list-style-type: none">• Distract us• Increase our vulnerability• Cloud our judgment• Inhibit free flow of data• Must be controlled	<ul style="list-style-type: none">• Motivate us• Increase our confidence• Speed our analysis• Build trust• Provide vital feedback• Must be managed

www.eqindia.com 30

What exactly is Emotional intelligence or Emotional Quotient is simply defined as:

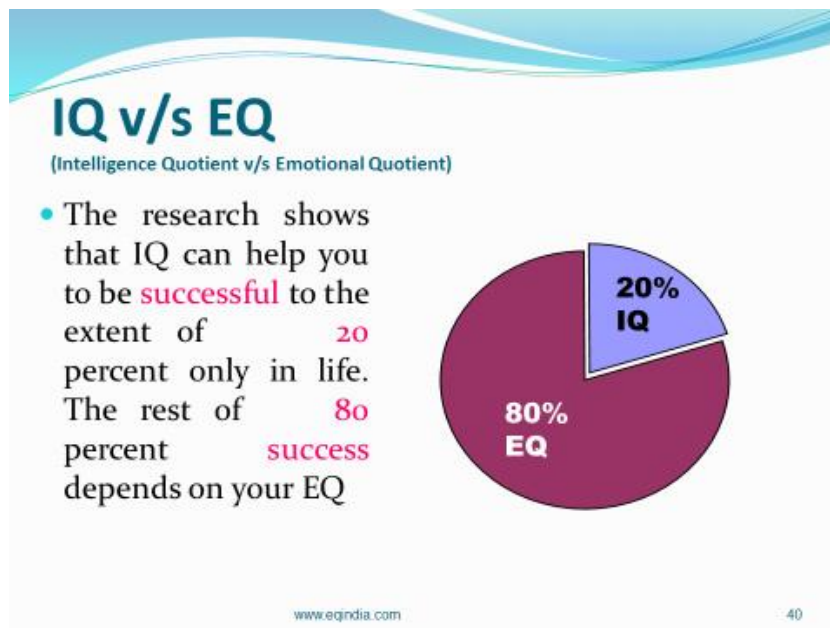
- knowing what feels good, what feels bad, and how to get from bad to good.
- Knowing your emotions and knowing emotion of others.
- It refers to emotional management skills which provide competency to balance emotions and reason so as to maximize long term happiness.

Now, identify your emotions:

- Identify how you feel
- Identify how others feel
- Sense emotions in music
- Sense emotions in art
- Detect real vs fake emotions – accuracy

Emotional intelligence is

1. seen as the fundamental key to success and leadership - and it can be learned!
2. Working with people
 - Not just about being nice
 - Managing one's own emotions
 - Ability to handle encounters
 - Teamwork
 - Leadership

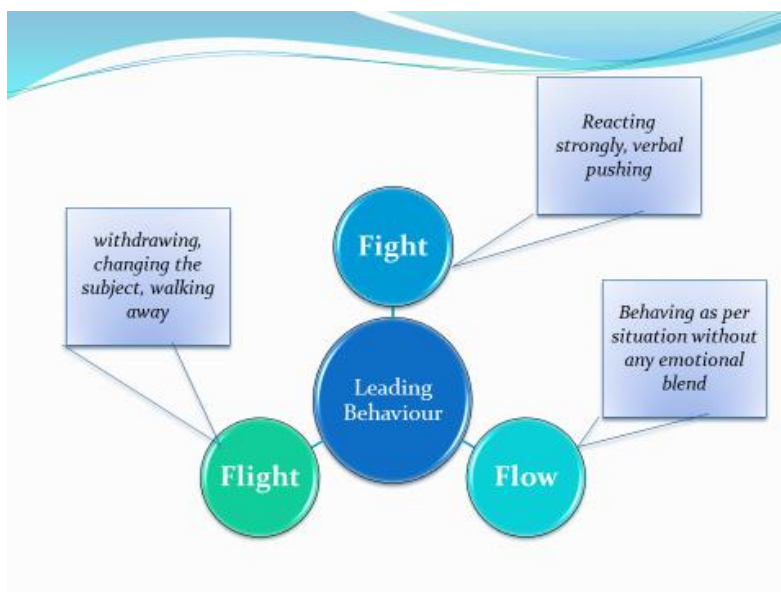


Dr. Parul: When people in the workplace do not act with Emotional Intelligence (EQ) the costs can be great: low morale, bitter conflict and stress all limit business effectiveness. There is also the financial cost of litigation when people complain of being bullied, intimidated, and exploited. Emotional Intelligence also contributes in a positive business enhancing way, improving team working, customer service and the managing of diversity. Daniel Goleman defines Emotional Intelligence as “the capacity for recognizing our own feelings and those of others, for motivating ourselves, and for managing emotions well, in ourselves and in our relationships. People with high EQ cope well with their own emotions, and notice and respond appropriately to the emotions of other people. This makes it easier to harness their potential, and thereby the potential of the organisation

Two sides of emotional intelligence are:

1. Personal Competence – how we manage ourselves ,Self-Awareness – knowing your strengths and weaknesses, Self-Regulation - trustworthiness, responsibility, adaptability, Motivation - drive, commitment, initiative, optimism, charisma
2. Social Competence - how we handle relationships, Empathy - awareness of other’s feelings and concerns, Social skills - adeptness a inducing desirable responses, such as communication, conflict management, cooperation, and leadership

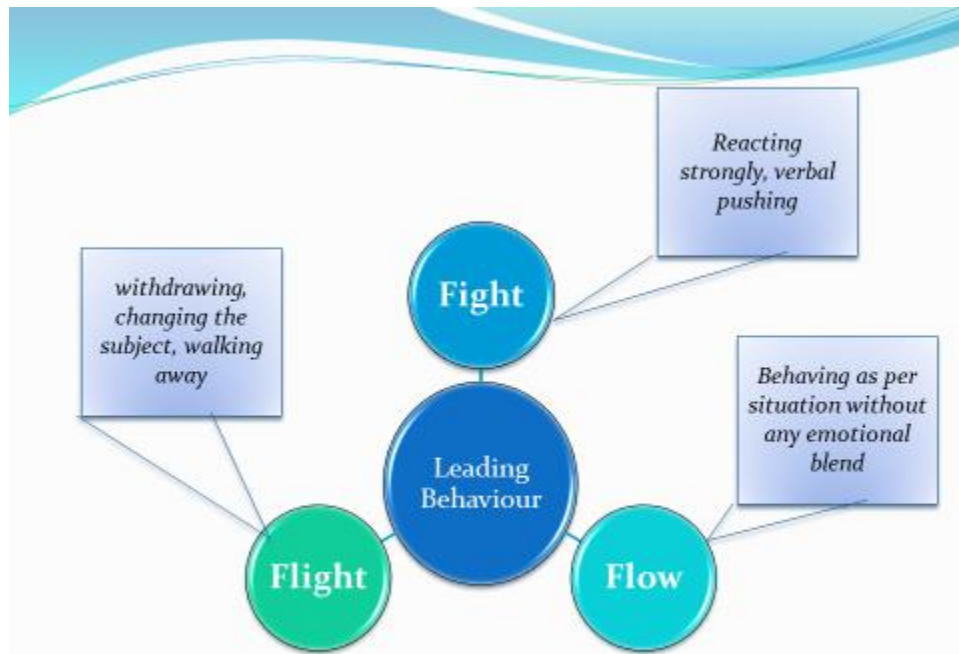
For leading assertively, or for mastering the verbal art of self-defense, we will have to understand this, look at the chart:



Now, answer me one thing As a Leader, what makes you angry on your subordinates? What do you do?

- When they don't work in time?
- When they take leave on crucial dates?
- When they counter respond back on you?

Consider the following and think of how you react, which mode you follow?



Whether you walk away, or you react, or you behave as per situation without emotional blend?

For people who are in flight mode:

- If Fight is your most frequent response, ask yourself:
- Why do I need to be in control?
- How would I feel if I found out I was wrong?
- Do I make myself feel good by proving that I am better than others?
- Do I feel that everyone ought to have the same values as me?
- Should I perhaps question some of my own opinions?

What's not working for me anymore?

Flight mode is for people with aggressive behaviour, Expressing your feelings, needs and ideas at the expense of others; standing up for your rights but ignoring the rights of others; trying to

dominate, even humiliate, others. Hostile and self-defeating and it results in anger, self-righteousness, possible guilt later.

1. *Belief:* You don't matter.
2. *Payoff:* Vents anger and achieves goals in the short term.
3. *Problem:* Alienation from others; feelings of frustration, bitterness and isolation

If Flight is the way you mostly respond, ask yourself:

1. Do I really think the other person doesn't suspect I'm upset?
2. What damage to the relationship is my withdrawal doing?
3. Is it fear, habit or anger that prevents me from speaking?
4. Are my feelings as important as the other person's?
5. Am I frightened of the other person's anger, or of damaging the relationship?
6. What's the worst that can happen if I speak?

For Passive flight Behaviour it is I lose/You win:

- Not expressing your own feelings, needs, ideas; ignoring your own rights; allowing others to infringe upon them.
- Inhibited and self-denying.
- Results in anxiety, disappointment, anger and resentment.
- *Belief:* I don't matter.
- *Payoff:* Avoids unpleasant situations.
- *Problem:* Needs are not met; anger builds up; feelings arise of low self-worth.

If Flow is the way you'd like to respond more often, ask yourself:

- Do I have needs and rights which I need to acknowledge?
- Do I need to become more aware of the needs and rights of others?
- Do I need to develop my skills in explaining more clearly what I need and what I deserve?

Expressing your feelings, needs and ideas. Standing up for your legitimate rights in ways that do not violate the rights of others.

- Expressive and self-enhancing.
- Results in confidence, self-esteem.

- *Belief:* We both matter.
- *Payoff:* Achieves goals mostly. If this does not occur, there are feelings of self-worth which result from being straight forward. Self-confidence improves and relationships become open and honest.
- *Problem:* You still may feel distant from others who don't handle open relationships well or who have great difficulty expressing their needs or those who wish to dominate.

Now what does assertive means:

- Saying what you like or dislike about someone or something without using degradation.
- Getting what you want, but not at the expense of someone else's self-esteem.
- "feel good" communication.
- "to affirm positively, assuredly, plainly, or strongly.

Emphasis of assertiveness:

1. The assertive person is one who acts in a way he or she respects.
2. The emphasis is on being respected, rather than being liked;
3. Self-respect, others' respect.
4. "I believe that... what do you think?"
5. "I would like to..."
6. "What can we do to resolve this problem?"
7. The emphasis is on not letting ourselves pressurized or manipulated.
8. The emphasis is on adequate behavior.
9. Inadequate behaviour leads to self-doubts, which leads to disturbed feelings, which leads to more inadequate behaviour.
10. Adequate behaviour breaks this vicious spiral.
11. The emphasis is on not letting other people define your role for you to the point where you stop being yourself.

I will just take 5 minutes more, assertive persons are assertive all the time, we all are passive assertive on different occasions, but what we are most of the time that decides, whether we are assertive. And it is very important trait of a leader being assertive, if you are not assertive then definitely delegation and getting things done from others, becomes very difficult. So with that we

are ending today session and although it was a long session, but we could just try to sum up to us. Your comments please, and please return the sheets to me.

Justice Upadhaya: Dr. parul, please give her a round of applaud, for the presentation she has given to us, and with this presentation I remember a story of a judicial officer, he was working in district court as district and session judge, he was honest, sincere and hardworking, and he is now still a judicial officer, and at the same time the chief justice of the high court was also looking for a judicial officer for his appointment as registrar judicial in the high court, the issue of a notification was done, and he was brought to the high court as registrar judicial, now he finds him selves as sitting on the chair of a leader of the team as a manager, and almost all of you who have come from judicial wing in the registry feels more or less the same story, basically you don't have any training on management, but the job you are performing requires you to have in depth study of management, HR management, anyways we have heard Prof. Parul today and many thing we will definitely remember when we will go the field. So with this should we break.

Session 3

Participant: We request our next speaker Mr. Sampath Iyengar, to give his presentation. I would like to request Mr. Sampath Iyengar to just introduce briefly himself before he starts the presentation.

Sampath Iyengar: Good afternoon, I am glad I am here again meeting you for the first time I have had the privilege training your colleges who are heading the admin departments, also last month we had our Registrar generals going through the same session one difference that probably I want you to get accustomed to and get use to from whatever the previous sessions that you have had and probably going forward you will have it I don't have a legal background per say but we are all basically human beings so I have that background for sure I am from the corporate background so whatever we are going to do is how we do it in an international corporate training environment so here the participation from the participants make the session what it is I don't do much but together we can make it a fantastic session we can make it a memorable session we have made changes in people's life dramatically when people have participated so my request to you

forget your position forget you know responsibilities and many other things that we are intimidated with just feel that you are human being and you want to have a wonder full life, if we are good human beings and have a wonder full life everything else fall into place all of you agree with me on that yes so just loosen up take out your courts if you want to, loosen up your ties be free that is the fundamental principle if you want to have a grate session you are investing your valuable time at every investment should give a fantastic return only then the investment is worth considered to be effective we invest but we don't get anything in return why should we do that job we have better things to do right? So that's my sincere request to you before I get coy.

Today's topic is all about team work how do we have team works and build teams and thereby we enhance our own performances and there is no better place than nature to learn this this way we called as nature is the best teacher, do you agree with me? Yes, you give me any problem which the nature does not solve it on its own and that is the reason why nature takes control of the situation all the time, we may be you know human beings trying to use our intelligence use our technology use anything but end of the day nature will overrule everything, and if when you have a problem you go to the nature the nature will provide you all the solution, the next best place to learn is our kids and in some cases our grand kids, any kid 4, 5, 6, year old kid they will be solving all the problems that we think is big in just like this, all that we need to have an open mind and beautiful ears to listen to them they are our best teachers, imagine you take a finalize you're a fake wedding your ex will leave or somebody you take because that person is very important to you what you and your spouse probably do it you talk to couple of people that you know and then meeting when the lunch or dinner would be served and you know you want to get out of the place, and if you have little kids what are they doing, they just go out make new friends they don't know who they are but they just want to come out of the place, what's the difference we put our boundary at the end of the day I am this no I have to deal with this people only this is good that is not good we are very judgmental in our behavior and thought process where as the kids are kids they just take things naturally they explore that curious , good thing is we would also kids some years ago we had exactly the same qualities that our kids have, but unfortunately we are sitting here and learning each one of them now, so what I am going to I am trying to tell you is whatever I am going to tell you or whatever know, problem is all of you all these things is there anything for instance you didn't know, maybe some technical jagrans you may not know but otherwise in social behavior we

all know these things but what is the use of knowing, knowing is nothing doing is everything, if you just know it is that OK, all of us know jumping signal is not right, but how many people follow it, everyone knows smoking is injurious to health, on top of which you know the love make sure that you know you write it on the back, but how many people who smoke cigarettes can't read it or doesn't know this so my sincere request next 3 hours just be like kids have fun, there is no life without fun and why should you live without fun, so look at this picture can we have this different lights switched off, can you see this picture? What do you see there? Look at can you imagine something like this? normally no, exceptional skills require for this we need to get trained on to do these things but you will see this day in out in the nature look at the distance between this place and this place the leader will be there some were he will be watching and you know he will be directing, everybody has a role and responsibility to do it and different people will take up different roles to do it there is somebody combining in this picture it may not be visible for us, it may not be relevant for this picture, but is possibly is being demonstrated by, look at these ants they have no support for anywhere they are all in the sky, they are all in the air but when we collaborate when we are willing to give and take, things which look impossible become I am possible because impossible also has that possible build in that. Let's move further this is called the red wood trees predominantly grown in California area in the US they grow up to 350 + feet, and these trees are 2000+ year old, how did they survive for such a long time and we expect the tree which is 350 feet typically, scientifically speaking you roots also have to go so deep 350 for you to hold it, but unfortunately or fortunately the roots only go out till 8 7 10 feet only, how can you sustain such wind, all kinds of natural disasters that we get to see, so in nature they have figured out a way, this is how you will see the roots will go in each other's trees, so if I am one tree all the trees around me the roots will entangle with each other so when the wind is blowing all of them sway like this and sway back, and that is the reason why they could sustain for such long time, can you see team work, in nature where do you see have you seen a forest at least we have seen it in TV national geography etc., can you have a better place to demonstrate team work than that, you have tall trees, you have small trees, you have shrubs you have all kinds of animals one eats the other but that nature it has to eat otherwise you don't have any enough vegetation left so nature keeps its balance all the time get in=to a ocean you see such a gigantic whales and you also see small small insects all everything in between you will also see there innumerable plants inside the ocean which manufacture and add up to it, and compare to all of this size and complicity either at our home or

at our work the complexities are much smaller than all these things, do you agree with me on this? So let us start the training programmers with an impression that it is possible, we can do it provided we want to do it, it does not mean it is easy. A lot of times a lot of people think when I say simple they equate it into easy but it is not true, simple always starts with difficulty but keep doing it multiple times that will become easy, getting up at 5:00 o'clock is simple am I right? But it is not easy to begin with but you do it for 21 days then it becomes easy. Anything that you do for 21 consecutive days it will become your habit, till such time it is difficult, first day you will say that it is calls and this and that, we give million reasons why I could not do it but how does it help at the end of the day, there are 2 kinds of people. 1 set of people called reason babies they have a reason for everything, and other set is called result babies whatever be the reason I will deliver come what may this is what I am supposed to do it I will do it I will not give an excuse for it choice is always ours. End of the whom are we giving all these reasons to whom are we trying to impress, if you are not impress with yourself believe me you will never be able to impress anybody else, reason babies, result babies, a lot of times you would have seen if your junior colleges will come and expect you to appreciate them, this has happened in my corporate life number of times so I always ask them, if I don't appreciate it there should be a reason for it tell me are you absolutely impress with your work, sometimes yes and sometimes no, when you are fully impressed before you ask me I would have done that job because I am very selfish unless otherwise I express my gratitude to you express my wishes to you I will not be able to get your job done next time so I will definitely do it but it is very important for you to feel I did a fantastic job, all changes especially the behavior will changes cannot be influenced with the external factors it is always intrusive, it has to come in from within I want to do it, I want to have a fantastic life I want in love all the time, I want to have everything that makes me happy, end of the day all of us do everything because I want to be happy, is there anybody who does it because I don't want to be happy? Yes we do certain times even though we are not happy with what we are doing out of compulsions we do it, but if those compulsions can become choice out of choice I do this, isn't it so much better, so all my sessions are usually one day programmers so what I will do is some of the points, skip some slides deliberately it is not to show any disrespect to any of you it is just because if you are willing to sit up to 8 o'clock in the evening I am absolutely fine to do it I know I get paid the same, but that's the last thing I look at it so whenever you want me to extend I can extend have multiple games that I have built in you have a lot of fun provided you participate, if you think I am the judge,

I am this and that I am telling you this will be probably most boring what is that guy came from where, probably only the tail is missing is what you will tell me, but if you want to enjoy you will be able to do it, before that I want to understand your expectations, what is that you are expecting? I may be expecting a lot from myself but I also want to know what is that you are expecting/ from this session. Something new, ok, Something extraordinary oh my goodness, simple understanding, ok madams you guys also have to know express if you express it is easy for me to understand, not to boring, ya whenever you get bored please tell me, I am a very open guy please express yourself good, bad, worse whatever it is you won't beat me please do that I have no problem with that I can manage that, ok ya why miss that you know you have one life I want you to understand human beings are in this planet for last 6 billion years, even if we live for 100 years if I plot a billion year car and put a dart that will be to big, 100 you will not even see where that is, so we all and among that we have to understand we are 1 among 7 million people, so we are all very small unfortunately we don't know how long we are going to live, right, so whether we have a tomorrow or not we don't know today is all that we have, most of us unfortunately live either in yesterday or in tomorrow forget today in between, there is a beautiful couple which said yesterday is a history, yesterday what power you have what I don't know money you have what position you have, you cannot change anything about yesterday, tomorrow is a mystery we don't know anything about tomorrow though we think that I can do this nothing is under our control, today is a gift, that's why we call it as the present, so all that we can do is control today, learn from yesterday ask for tomorrow but in between what you have is today do everything that you want to do in life, don't postpone living tomorrow, because there is no tomorrow, right, I have quite a bit of expectations ok, first question to you do you want a serious professional session I can do like lot of theory lot of gyan I can give you but I can also make it lot of fun, ok good, so if the session has to fun, I am repeating all of us have to have fun, ok, it is not you all have fun and I look funny, right, so that is the assurance that I need from you when be interactive, being ask an answer act like a 5 year old kid, that is the fundamental problem that we have we take all the possessions and all the responsibilities on our shoulders all the time that's not require when you were the courts sit on the judge seat you are a judge when you go home you tell your wife I am a judge she will do whatever is required you tell your kid that I am a judge you have to be like this your kid will say chal haat, right, so we need to be wearing that circumstantial leadership situation leadership, were you are leader where you are power you should be very well aware, here I want you to think that I am

here to learn, and the process let's hope fun so it is not that what I said need to be the final word in everything, these are my opinions my learning, my experiences and various other combinations, so some of them are acceptable views some of them are not I am quite fair with that you are impossible that you will like everything that I say, where ever you dislike please tell me so that I am aware of it. Where ever you have a different opinion ask me, again we have two kinds of people, one set of people are all of do both we assume certain things, and we ask few things, if you really reflect and see for yourself, this assume which is a 6 letter word is the owner of all our problems, since we assume this that and all those things we end up having a lot of issues in our life's, do you agree with me on that? Ya, but is the answer for that what is the solution for this, how do we solve this monster assume, answer is very simple ask, three letter word can kill the 6 letter word that means your effort is only half of what assume has rather than assuming no maybe it is like this may be that is, you like this, do you want this you don't want this, why is this why not this way so in our life assume creates all problem and ask solves all the problem provided you exercise your authority to ask but if you assume asking is of no use you multiply your problems only, if your kid is listening ask your kid why you are not doing your homework, rather than no my kid is useless he is interested only in playing computer games, not interested in studies, look at me how hard I was working, what is the point, you get stressed out and then do something that will flare up the whole situation then your wife will come with a danda, then with that mind set you do some work and your colleges will find mistakes in that because you are not fully into it, alright, so please ask where ever you think as I said we can have different opinions because of our background because of our culture because our profession, because of number of other reasons, which is very fair, all questions are welcome and all answers are right, absolutely 10/10 for all answers given already, no valuations will be done on your answers, because you have given the best possible answer given your background and your knowledge on that particular part topic so there are no right or wrong right, ok, I am only 1 I am bad with this because i go with my flow and I don't stop ok, if you say 1 is lunch I will not stop at 1, I will drag it a little bit unless a tea break if it is getting late ok you can get the tea here we will not let you go out we will continue to have what you know in case you need a bio break you go fast and come back, so that is one thing which I expect you to be flexible you know otherwise as I said I go with my flow I go with my stories i go with my videos it's very difficult for me to stop and end of the day whatever you learn from me I request you should commit yourself, commitment is always to one self-promise is for

others, one thing you will change in your life anyone which is dear thing, anyone you think is easy for you any one which makes a whole lot of difference to you, because when you meet me next time in an airport or in a railway station or in somewhere this guy made a difference to me. Right, Ya final warning I am giving you right here you know everything but knowing is nothing that's what we will try to do it, what are my qualifications for me to do what I am doing now this are my quick qualifications, I am engineer by education, I have done my PG from IIM Kolkata and personal did programmer from Del university in the US this method here in the corporate world, traveled about 35 different countries, probably traveled to all the dream destinations that you can think of. I am a certified MB day practitioner, I did certified executive course from Marshall goldsmith who is the number 1 executive coach in the world he trains the Chairman of the world bank, etc. do you see me tired because of this investment on myself, I have so much energy I can go on till my flight is tomorrow morning at 7:30 so I have to leave here at 6:30 if you have the energy I can go up till there. And I promise you, with the same enthu same energy same flow, to me I am the biggest asset in this world everything matters after me, selfish in a true séance, because at the end of the day if I am doing well I have ability to help many people, I came from very humble background, born and brought up in a tiny village in Karnataka, studied up to my engineering in Kannada medium when I finish my engineering I could make one sentence in English I have not had spoken to a single girl in my life other than my sisters because I didn't had the courage and confidence to talk to girls because all the girls in my college, use to speak English and I didn't know English, they were all my enemies. I came to Bangalore only after finishing my engineering my first job was paying me 15 rupees per day on a daily wages, holidays, Sundays no work no pay, when I decided to quit working in 2011 I was the vice president of INFOSYS I was managing a team of 4 and a half thousand people, I had set up business in about 9 different countries for the organization that I use to work with, and that experience is what i bring it here, lot of failures multiple humiliations, but that is what makes you are, each of you have done that, you are not become what you have become just like that none of us are test tube babies, we did not come in a ideal conditions we fell down, we got up, broke our bones cut our skins we regain stronger and stronger as we fail that's what made us what we are today, so these are all the things which anyone can achieve and lot of you have archived but there is something which I will lay of world class is my health and fitness, this method that you are working I have taken one sick leave so far, that is 5 June, 2014. Because i had diarrhea on that day and I could not get up, and I had a

session on to, 4th June I had a session like this and I said i have never taken a sick leave, but I qualified it does not mean anything, I may be sick tomorrow I may be dead tomorrow nobody knows, the last time I took an injection for sickness, is 24th April 1983, usually I say most of you are not born but I cannot say that here, that's what I believe is the biggest asset that I have, ok, let's move on too much of bragging is not good. Ok can you give me an example for a great team, you don't need a better example than dabba vallas. 5000 people doing it for last 140 years, not one day they have abandonment work, not one time they have, their level of accuracy of delivery is 8 sigma, 6 sigma is considered to be extraordinary people are like, Toyota, they are all kind off 6 sigma company 6 sigma company means you can make 3 years out of 1 million opportunities, that is 6 sigma you can imagine 8 sigma is several million times more than that and what is their education, average education 5th standard, what take down they use, nothing, only painting on the box is all the technology is that they use, whether it is flood, whether it is a boom, anything they will deliver on the dot. And it is not 1 day, 2 day, 3 days it is going on for last 140 years, and not by 1 person 2 persons, 5000+ people doing it, any other, you see this every day go ahead please, silence is one thing which I don't like, some noise you keep making, absolutely how does otherwise the court functions, how does your family works, can you have a beautiful family without team work? No we are not looking at what quality, that is the next question that I will come up with, examples for our body can you see our body such a fantastic team work, isn't it, somebody gets more importance at different point of time, who has to get importance, when they will automatically get it, I blockbuster movie, can you make a Blockbuster movie without a great team work? Can you get into a hospital were surgeries are done beautifully can a surgery happen without a great team work? In a surgery who is most important, the guy who is cleaning those sicers is not doing his or her job right as a surgeon you may be anybody but the patient will get killed, operation successes patient died.

This institute all of you must have been impress with the way they have maintain the institute, am I right? Tell me without team work will it happen, don't you think that gardener require a big salute for keeping such a beautiful garden such a beautiful greenery you go to the pool look at the pool sparkling, look at the infrastructure, can you see spot anywhere, it just doesn't happen with only the director or you know, they have important but everybody in the system is important at different points of time, everything may be fine, when you go to the washroom if it is not clear what will

happen? Why do we go to a waste our time in a 5 star hotel, though knowing that the same dhosa will pay 10 times more because the washrooms are very clean, am I right? That kind of a trust that kind of a confidence, that kind of a beauty you get to see everywhere, so if that is the case what makes them grate? Cooperation, Communication, coordination, I am really liking you guys, you guys are quite participating, now that's how the session will build up, Commitment, passion all this are very good, in addition to it we need to know what are the relative strengths and weaknesses, a team is grate when the strengths are highlighted and you weakness becomes irrelevant, imagine we are playing a cricket match, one fine day Harbajan Sing scored a century, the team will win on that day, but he is not taking wickets, what will happen? He will lose his position in the team though he played well as a bat's man but he is in team because he can bowl, so whether he bat's or not it is irrelevant to the team, most of the times, his strength he is in the team because he can bowl, not sometimes he can bat, Sachin Tendulkar is in a team because he can bat and kill all the bowlers around the world irrespective of the conditions, irrespective of anything happens not because when it is Bombay when the pitch is beautiful when the bowler is week he will be able to score runs, contribution in the area your strength is what we expect if you are want to have a beautiful orchestra can you have all the great artist from all the different domains and put them together and say ok now bajao, you will get, what will you get at the end of the day, you will get beautiful noise, because everybody is exceptionally good everybody is equals so everybody want to be you know I am the best, no I am the best, when the singer is singing the Villon is also going, table is also going, piano is also going, keyboard is also going, does it make a great music, a great artist rise where when singer has to sing, she has to sing, when the piano has to be payed that has to be played, when keyboard has to played that has to be played, that is orchestra you are not always on the spot light, different people are at spotlight at different point of time when we realize that everybody in the team is important, everybody has a role to play everybody can contribute, everybody should contribute only then that group of people become a great team. Otherwise it is individuals in a cluster only, yes you will find different kinds of people some people like you, some people don't like you, some people capable some people incapable all those hazards are there and that's why we need leadership otherwise why do we need a leader and leadership is a difficult job, let's accept it and if we have become a leader it is because the system the process and our seniors believe that we have the ability to deliver under difficult situations, if everything is fine they don't need you, is not it, imagine if everybody in the team does exactly what they are supposed

to do what is your job then, you lose your job, so in my job I always say, when my juniors will come and say sir I have a problem I say thank you very much kindly sit down you have saved my job, because you have come to me because there is something which you cannot solve and you believe that I can solve that means you are accepting that I am superior to you, thank you very much sit down, then tell me what's your problem now, then what have you done about it, what are the different things that you have done which didn't work for you, so I go on asking asking, 3,4,5,6 question, sir i know the answer now, he will walk off, because all of them all of us know the answer to the problem, tell me how many situations were didn't have an answer very few cases very few situations in our life, we don't know the answer, all that we are not doing is asking the right question to get the right answer, so if you ask me why I am here, what made me to come here, why I was selected to be coming here, what qualification do I have to learn here, what do I do it by taking this learning outside, how can I make my life better than you know what it is by learning here, don't you know the answers to all these things, all of us know the answers, but did we ask these questions possible may not be possible, ok. Give me an example for a bad team, because when we are doing comparison we need to have both sides, are you Hungary? I don't want to assume I would like to ask, 1:15, no do you want 1 hour for eating, 45 minutes no ya, one day give me 15 minutes please, ya thank you. Ok if you don't have much example for bad team, because we see so many of them around us we don't find it easy to pick one of them, what are the qualities of bad team? Lack of corporation, one of the other things which you did not say which make a team bad is ego, I say if you have ego you will go, on the road you show ego, I am the suv of who can control me, then try what happens do you think that guy truck driver who is who can't read what is written there you will understand all this and then you will say ok I will buy you first, you have such a big position, you are judge ok you should go first I will come later, always understand irrespective of how successful you are, how well positioned you are, ego that's an emotion most of the time it is not a good idea, replace ego with humbleness, because as you go taller and taller in your positions, you are climbing up the ladder. Am I right? You started with the foundation level then you grew, got promotions you are actually growing you assume a pyramid, when you are on the ground you have the maximum control, you are standing on somebodies shoulder then this guy's shakes a bit then your life is in dangerous, go further and further when you fall the height off fall keeps you increasing as your level increases, so if you are leadership ladder you are climbing the expectation you become more and more humble, because lot of people can pull you down now, there is lot of

light and focus on you when you are at the ground level not many people can looking down at you, but you had a promotion 100 people can see you, you got another promotion 1000 people are trying to pull you down, right, ya what is the meaning of jealousy then? It is a common word know, what is meaning of jealousy? I am asking simple English only, but my answers you may not find in the dictionary of course, when somebody is jealous of you what do you feel.

Participant: To me the root for it is greed.

Sampath Iyengar: Ya fair, when somebody is jealous of you what do you think? What is the feeling that you have? Happy, when we are jealous of somebody what happens to us? But all of us are jealous of somebody, and so many people are jealous of us, so my definition of jealousy is, disguised compliment I appreciate the person but I don't have the courage to tell you that you are better than me, you are smarter than me you are more beautiful than me, we think though but we don't have the courage to accept, but you want to be like them is it not, we want to be like people whom we have jealousy but we don't have the courage to go and ask this person. beautiful thing which works miraculously is muster the courage go and express your jealousy to the person whom you are jealous with, say I am really jealous of you, do this believe me do this see what will be the response, never if somebody comes to you and say, what's your name Mr. Daesy I am really jealous of your looks, you look so smart I wish I could have been as smart as you, you feel bad no. Don't do anything which is not coming from your heart when you are using your head you are manipulating, believe me everybody in front of you are smarter than you, before you know what you are doing the other person will know it, if I am trying to manipulate a situation for you don't you think you all will be able to figure out the just like this, if I am speaking from the bottom of my heart you start sinking with me, otherwise you will be thinking about me, that is what is important, your expression should be very genuine, true absolutely true, then he would say, this is no big deal yaar, so I did this and that, he will revealing all his secrets without asking for it, how he got it, that means he is putting a ladder for you, common on clime up, and he will become a great friend to you, if you have ego you will not be able to do this, so 1 of the most important thing for you to be exceptional good team member or a leader is to shed your ego when it is not required, ok. Let's move on a little bit, so the definition of true team means together everyone achieves more, that is true team, if somebody has achieve more somebody is achieving less than it is not a great team, this i have said, everyone is a leader look at our, political system today a tea valla is our

Prime Minister, am I right, I am speaking the truth yes, if a tea valla can become a Prime Minister a son of a fishing guy can become the president of the country, become the most saluted most respected president of the country then anybody have the capability to be, who are we to say this person is this, who are we to judge somebody but the moment we look at the person we make that ok this person is this this person is that, it's 1:15 but I will still continue for another 5 -8 minutes, I will tell you is beautiful story, and then I will show you a beautiful video then we will take a break, this happened in one of the hotels a small restaurant a guy comes, shabby clothes with a gummy bag, and he sits in the one of the tables and says I want a masala dhosa, the server says sir it is 15 rupees if you pay me then I will get you, I didn't like that in your restaurant it is not a pre-paid affair, everybody comes eats and finally you give a bill and then the person will pay, he said why are you telling me first pay before give me, for you it is like this only, please don't so that I have money don't worry I will pay you, this guy didn't agree the server didn't agree, you first do it then, this guy went up to the manager said how come you can do this, he also look at that is an instruction given by the manager to these guys earlier so he says ya ya for people like you we don't do it, he warns him see don't do this, this is not fair you are in a public domain you are supposed to serve everybody equally, if everybody by a coupon then I would have brought it, there is no problem but you are asking me to do it, it is an insult, says nothing doing this is what it is , he says you are going to get into trouble, he says no this is what it is, then he says ok, now we will do one thing, he goes back to his chair gets his gummy bag, put all the contents in the gummy bags on the managers table full of thousand rupees notes, and he says I want dhosa but all the money that I have. What happened to all the experience, the manager, the owner, everybody had they judged the person by their dress, see how they got into trouble, and if the story is true the person is an owner of a very large 5 star and 7 star hotel chain today, from India. So you don't have any right to see a junior person or when somebody doesn't dress up well, or doesn't have the right language skills, we are not supposed to judge anybody without seeing and testing, experiencing their capabilities, every grate guy, every expert who so know me someday, none of us are born 5 feet 6 feet straight away, all of us are born 1, 1/2 feet the best that we could do is cry, if be born 5 feet straight away, did Mahatma Gandhi was born 5 feet straight away, everybody we back to own our background, were did we come from, today we have the wealth of knowledge, experience, many other things, but we didn't have all these things when we started, so we end the current session with this beautiful video were it demonstrate we should not underestimate anyone. (Plays a

video). Want of time I am stopping the video, so it is an audition round, and this is what she performed in an audition round, she went up to the final of the competition and lost in the finals, but the magic happened next day, the Prime minister of England called her, said i was watching your show throughout I know you didn't win the finals, but to me you are the true winner, you do something your boss doesn't give you the kind of appreciation that you deserve next morning, Modi picks up the phone and calls you and tells your boss what you did is made me feel proud of being an Indian or being in judicial system, whatever it is being a grate human being how does it fells? In Sunday talks he referred I have a guy from this place read this, fantastic I really appreciate to meet such people in our country, what happens to you, how do you fell about it, that's what happened, today she is the most popular person in England, most popular person in England overtaking J.K. Rowling, she is the author of harry potter, her story itself is a phenomenal thing, at some point of her life she was living in slum today she is richest women on Earth, see anybody can become anybody, Stave Jobs was mad literally mad, he was so poor at some point of his life he use serve the corks of the bottle to have little, anything that he can get and every Sunday he use to walk 7 miles to hare Krishna temple so that he can have one full meal a week, how did he end his life, one among the richest in the world, so when you are a leader when you are building a team, first rule never be judgmental have patience, to really test the abilities of the team members before you consider this person is good or not good for something, so with that thought let's break for lunch and when we come back.

Participant: We break for lunch 45 minutes and then we will join you.

Sampath Ivengar: Sure if you can cut down further I am more than happy. Thank you I was kidding.

Session 4

Sampath Ivengar: till everybody comes in let us do a quick recap, what is the one thing which has stuck you so far. not about me, whatever I said, whatever anybody else said you know that's fine, we are here to learn, believe me I would probably learn much more by end of the day then

what you would learn from me, you may or may not be saying by your actions your body language your interactions I am a great student.

Participant: 80 % is nonverbal communication.

Sampath Iyengar: I am a very good observer, I am a keen observer that's why you look at many many small small things that I touch is because of my very keen observation that I have done in my life and made a note of it. Ladies have to be more interactive because the perspective that you have towards life is quite different then you know the man have and is more subtle more beautiful than what man can bring into the table so my request to those ladies, be more participated some of the insides only be shattered to know really this people can think this way, you may have such great quality of observation and of absorption man are not blessed with those capabilities by nature so if you don't participate if you don't express yourself man will assume a lot. So my request to all of you please be more participate it will help all of us. Be curious that's what kids do, how many questions a kid will ask you if you have what 5, 6, 7, year old kid. Many a times when we are true to some extent it is true.

Participant: 80% we assume that he will learn it, then why should I ask anybody, why should I solve my curiosity, he may think that I don't know anything.

Sampath Iyengar: the thing is once you grow up, you are considered to be growing up when we stop sharing your mind, sharing your thought, after all as you filtrate, moderate it, put a socially acceptable norm, then you people think that you are growing up. if you put it in a raw form that's what kids will do, you are not considered to be grown up unfortunately, so the research it say on an average a six year old kid it's a world average, ask 800 question a day, and how many questions do you ask other than your professional requirement not to ask, the same research says an 18 year old Adult ask on an average 6 questions a day, and that is the learning come, the learning come if we keep it like this because they keep on asking and you ask things which you don't know, if you stop asking your learning a stop and when you ask you get to learn what you didn't know till now and when you ask you get to learn what the trainer want you to learn or what other person want you to learn, right. Any other thing that you can recall quickly. So far whatever we have done in last one hour or so, anything one point which you can recollect you think if

something appealing to you something worth considering. Live in today, that's the most beautiful thing which we have because we will never see tomorrow we will never see anybody who has seen tomorrow we have never heard of anybody who has seen tomorrow, but still we always say talk tomorrow. You are all judges, how many divorce cases you have taken up, how many of those situations came into divorce for ego reasons. You question them why are you divorcing, they don't have an answer for it. Because nobody get married to get divorce, there so much of hangman happens because of that, so much of care is taken, so much of matching happens so much of all good things are done to get married but after sometimes they want divorce. One of the small reason breach of trust. 90 % happens because of the ego. You look at your how many friends you have deserted or how many friends have deserted you, it's just because of the ego, you did not call me, I call 3 times he never return the calls so why should I call him back, he did not attends my son's marriage why should I attend his son's marriage. We don't ask why he couldn't come we expect or assume that he should call me and tell me why you didn't come. So these are all very small small certain things that we face in our really real life so why so my teaching will be only on real life. I tell you how leadership strides are different I like telling stories so i hope all of you like stories. Because I am treating you as 5 years kid and not taking you advantage, if I don't want to assume so I ask you. So do you consider Ramayana as a good leader or Krishna as a good leader?

Participant: Krishna is a good leader.

Sampath Iyengar: Krishna is a good leader how many of you think no Krishna is a good leader you need some action otherwise you will sleep of. Always you think Krishna is a better leader than Rama, OK 2-3, somebody said this side there is a hand, OK. How many think Rama is a better leader. Only one. This way or that way. it is like you come to a dead end there is a left turn and a right turn and there are thousand vehicles behind you how many times that you have to go one way this way or that way. You cannot have both, you have to have one, that's why I am not giving you a third choice. See what is Rama time, Rama was a micro manager he was directing, and he was in every decision making every execution he was there. That is his leadership style were Krishna was not doing anything he was only giving direction to people. You do this, you do this, you do this, you do this, he never took the any physical action in he never got into, but still he was the winner in the end of the day. Rama was involved in all actions every time he was I am the one who will go and kill this fellow, I am the one who is going to teach him the lesson. Both of

them absolutely right in their own leadership strides, the reason is what kind of the people they were leading, were as Krishna had people who are better than him in the respective skills he had Arjuna who is better than him in archery he had Bhema with dhata and he has yuthistr his leadership, all his team members were superior to him in their respective areas, so he need to just guide them, if this is going right, if this is not going right, no you go there you do this, can you do this who is willing to do this, this is what he use to do it. Whereas Rama was leaving with monkeys, if you delegate and leave you know what is going to happen. So above ye leadership depending on whom you are delegating or whom you are working with, things are critical factor even when you are having, so it has to be as good as his team, the captain all of a sudden looks great if the team starts functioning well and things are seeing. The same captain 3 matches, dhony he is useless dhony he has lost the matches, if 3 matches he win then wao look at how cool he is under any pressure he is like this he is like that, what happens is the same persons doing the same thing last 3 matches you called him this way and after these 3 matches you are saying that way. So it is very very important as leaders for us to make sure the people in our team are appropriately engaged and appropriately groom for them to become individuals starts then automatically you become a star, you don't need to do any work you don't need to please your boss I always use to tell my corporate my boss I am not going to please you it is your job to please me, you cannot make me failure you but I can make you a failure. Everywhere it is the same, look at the corporate CEO what do you think is job. Important customer he has to flatten they say tomorrow morning I want to be there. So always all of us what we do very difficult and what other do looks much lighter.

Participant: 24/7 he has to come.

Sampath Iyengar: How many hours Narendra Modi works. He is the prime minister he could have said that now ok, now you do this, you do this and I will not. And I don't know when people are saying know we are so busy we don't get time to do exercise. Have more energy, when you have more energy you can do more things in less time, see if I have more energy I can run 100 meters in 10 seconds, if you have less energy you take 20 seconds to run the same 100 meters that means you are taking double of the time which I am Taking that means I have same crux you call him time. So many of us work very very hard but we don't develop the ability to work smart. My request to all of you look back make a list of all of the things that you do in a week just list out everything that you do it, then find out how many things you actually have to do it, without you it

will not happen you will be supersized you will be shocked, there are many things many people can do better than you and then you give respective work for it you get so much of extra time to think and satirizes and love and not do other critical things more better than what otherwise you would have, otherwise your abilities are same the time is same 24 hours for everybody so my request to all of you our body and mind are like the temple and that the statue in the temple you are the biggest asset for you, everything matters after you, make sure you manage your body and mind absolutely crystal clear invest 1 hour on you every single day. There is no better investment that you can do, you have a million dollar but you cannot get up of the bed what will you do with that million dollar. You have possession, you have power, you have everything, but you are sick you are tiered, then what is the purpose of your life do you want to be happy or not. So that is what we need to do it so what we do now is quickly do an activity it is called how to learn learning all of us have to learn there is no option, do we have an option not to learn, not at all, either you learn practically or life will teach you, so today I am telling you concentrate on your body and mind invest 1 hour the choice is you will do it, alternative is you don't do it, if you don't do it what will happen. 6 years down the lane 1 year down the lane 5 year down the lane the doctor will tell you your heart rate has gone beyond blood sugar is this you have this you have that you cannot touch this you cannot do this, this is what you are supposed to do it otherwise it will not work. And then start taking care of your life, if you want then you reach that stage. So either you run actively or life will teach you, lot of us don't work actively because we think it is an expensive, 1 hour a day, it is very expensive very expensive where is the time for it or it will cost me some of the money, how can I do it, but then life teaches you it is predator. Meet with a heart attack then you are bed ridden for 3 months. Choice is ours, you have seen this you know I am thinking about you there is nothing, this is what also happens, he is a fool, I am ok, it is not going to happen to me, but believe me everybody is thinking exactly the same way but it will happen to everybody, sooner or later so better you take care of yourself, so today all how to know one which we have forgot, I will give you a beautiful story end of the seminar one man asked very simple very silly question and I gave him a simple straight forward answer, so you need to have some qualification for this, but qualification it should be good in math, how are you good in math, Ok, there is no geometer, there is no algebra, there is no calculus it's only arithmetic, simple plus, minus single digit. Don't go for others. So let's do a quick test what is $4+4$, 8 ok, what is $8-3$, 5, so what is $5+9$, 14, what is $9-1$, 8 ok, all of you are fast. All of you are quite ready to take up, this assessment so listen to my story

and if you have any questions you can ask me before I ask you the question. It's a family of 3 father, mother and a son, from a small village very poor family, they had a small piece of land, and a bullock and a cart, that's all with asset, son was doing his final year in B.A. he has already got a campus recruitment so 3 months later he will finish his final exam and then he will move to the city and the parents will also go and join him and settle there in the city for rest of their life, that was the plan. 3 months into this plan one fine day the wife develops a little ill health, son well and husband takes her to the village hospital, say we are not able to assess this, take this tablets but quickly take her to the taluk hospital and they have better diagnosing equipment's there they will be able to do it, so after 2 days husband takes wife to the hospital and they Diogenes and say there is a small problem we need to do a small surgery and the surgery will cost you 5000 rupees, 5000 is a big money for this couple, they come back the wife says no, all these doctors are like this only and I have had this problem so many times nothing will happen, which you have heard among you family member so many times and many a times we also have said the same things, but husband is husband so he has to take care of his wife he says nothing doing you have to do it but where will you get the money they have this and that, the husband loses his sleep and he thinks and thinks, finally he comes up with a strategy he says anyway we once down the lane we are going to leave the village and go to the city, anyway this is the summer seasons so there is no use of this bullock and cart rather than sell it 3 months later we will sell it now only, and with that money we will get it done, wife also found this quite logical so husband went to the nearby market and sell it up as quickly as he can and buyers will see that in body language the urgency and bargained hard and said we can give you 6000 rupees that's all best we can do and his requirement was 5000 rupees so he said ok, somehow he will manage he sold the bullock and cart for 6000 rupees, got it, 5000 rupees he gave to the doctor, 500 rupees medicines and you know fruit and going and coming in that respect, so after two days she was discharged so they came back, after a week one of her the sons class mate came to a village and he visited you know his friends parents in villages people visit, then he realizes that you know his friends mother underwent a surgery, this is what happened so he came back to, next day he went back to the hostel and then he ask you know that your mother went under a surgery and no I don't know what happened, son being son he got angry, they didn't tell the son because what is their son will do after all he is getting prepared for his final and why should we disturb him, there is nothing that he can do about it, it's a small surgery so let him you know concentrate on his study and there was no reasons for them to hide for the sake of hiding,

but son being son he said no he runs back to village and said why did you not tell me, they console him you know we didn't want you to come here and miss your exams and tests and then you lose your job which you already have, so it's not a good idea and then if there was something really serious we would have told you there is nothing serious, after some time he asked how did you manage to get this money, you know we sold this, then he got very upset how can you sell the bullock and cart it was so dear to mom, she was you know taking care of this bullocks as if her own kids for so many years so much of emotional attachment, you could not, you should not have sold, if you have told me I would have arrange the 5000 rupees it is not a big money for me, among my friends they would have raised it, argument goes back and forth and finally there is ok you now also get the money we will go and get it back, so he raises some money and father goes to the person who had brought this so they say no see this is what happened and all that he was a good guy, if you have so much of emotional attachment you take it back, I have no problem because for last 15 days I have taken care of this you know in the summer we cannot use any of this you know i have invested so much so give me 7000 thousand rupees I will return it to you, and son also felt that it's fair what he is asking is a fair deal and he gave him 7000 rupees and got it back, he went back wrote his final exam did well he also get a cabin and went to city so he went and joined and next weekend he came and there was agreement between parent and son they were supposed to go and join him, so he had told I am coming and they want to go the question now that what do we do with this bullock and cart, lets sell it out, you have no intention to come back lets dispose this now son was also there the father was also there both of them went to the market and now they were more confident they were not in a such a great hurry to sell it off, there was no tension on the face because of that they were able to sell this at 8000 rupees. son said see dad you always use to say my MBA what will happen, I was able to do much better than you, ya that's why I never went to the school I sent you with all my savings and I am happy that you are able to use it so they went to the city first one week was all ga ga son had lot time he use to come early go late weekends go take to temple one day to the park and all this happens one months' time went, then a project started so he started coming late, he started going early then no weekends were taken out then he use to carry work home after 3 months he had reached such a stage they don't know whether son is coming or going and his manner see you all young people you know it is work hard you come up which you realize everybody is working 14 hours 16 hours and if I don't go then he will send me home and what will I do so he wanted to work but the problem is this village couple had come

to the big city and son had put very clear directions that you cannot step out of the house because to many people who can cheat you, you know you cannot cross the road it's very dangerous with all great intentions and don't open the door lot then all people will come you know we are sales people this people that people they can do anything to enter the house don't open the door and you don't go out of the door, after some time they started to say that have we come to the jail or are we living in our own homes in our village we were all bindas we do whatever we want we went out whenever we want, we had less money we had less food but we had freedom here we have all this but we don't have freedom intentions are grate but our question is this that why are you doing this, they talked, son we want you to build a carrier it's very fair but we cannot live like this in this major city we fell we are constrained we will go back to the village and whenever you are more comfortable probably next year we will get you married and your wife is there then I feel somebody is there to take us around and there is some freedom that we will have then we will come back son also thought and looked quite reasonable he said ok in one weekend he went drop them back then the question is what do you do now so he said lets buy the bullock and cart because there is the only possession that we know so then rather than buying the new one why don't we see if we can buy the old one we have emotions as well as, so they went to the men and narrated all the story and say this is what happened this is the reason why we wanted to do it then he was the nice guy he said ok but I have taken care of your bullock and cart for 6 months and there was the rainy season I have used it also to some extent if you give me 9000 rupees I am ready to give you back, now some was doing well he was getting decent salary for him you know putting another 1000 rupees more was not a big thing he says ok and he gave 9000 rupees and he came back so bullock and cart given to the parents they are happy he goes back he starts working everything is fine one fine day he was thinking and then he is envy a finance guy came what happened in this whole business he though we lost money we gain money there is no loss there is no profit what is this, if we have to make profit loss statement of this what is the real thing that has happened he had that question he ask this to the finance guy, do you have any questions now, any clarity required on this story. Anything.

Participant: Circumstances you take a decision in a particular circumstance this is the right decision.

Sampath Iyengar: No I don't want that, are there any questions you need clarity. You are the finance manager you have to give the answer to your friend what is the profit, what is the loss, if there are any what is your answer is the question.

Participant: 2000 rupees loss

Sampath Iyengar: 2000 rupees loss ok.

Participant: No loss

Participant: No loss no gain

Sampath Iyengar: so we will document it then, then we know how many answers we have, typically for 16 people we get about 10 different answers. any other answers so how many of you loss of 2000, please raise your hands 1, 2, 3, ok 3 people, how many of you think there is no profit no loss, 1,2,3,4,5,6,7,8, please raise full hand I cannot see I am not going to get in any discussion there all I want is an arithmetic answer. $8+3$ we have only 11 people answering but there are more people here, for a change you know, -1 k ok how many of you think -1 k is the answer, he is the person so you raise the hand, ok so $8+1$ 9, 3 12 you give me an answer. If you are the finance manager if you give this answer you know it will be surprised in the business if you are auditor and I come to you this is why this thing you give me an answer. he is the finance manager that's what I am saying once you become a judge you cannot be no I was a lawyer you cannot mean like that you are a judge now, now you are a finance manager you are make decisions based on that, because there is so much I want to teach you, that is you are assuming I am not going to complain upon it, I have nothing to say.

Participant: In the beginning you said, whatever you said is correct.

Sampath Iyengar: because with the knowledge you have.

Participant: As a finance manager 2000 +, over all it's a big game

Sampath Iyengar: Don't wear the cap of a judge, don't wear the cap of the son, don't wear the cap of the father.

Participant: Even the mathematical results is bases on probabilities, therefore what ever happened

Sampath Iyengar: You are free to assume anything I have no problem, loss of 9000 rupees ok, how many only 1,2, still there are more people, so usually this sessions goes for 2 hours this particular problem and most of the time I keep it in the evening so I won't solve the problem I leave it, they go talk to the friends talk to the family members come back next morning restless, sir please tell me the answer, I think you don't need to know the answer is not it, just leave it there, there is an answer, there is a definite answer it's a simple answer.

Participant: is it in terms of mathematics or something else

Sampath Iyengar: Whatever you want it.

Participant: there is no loss no gain.

Sampath Iyengar: no loss no gain 1 more person.

Participant: Rather the game is of satisfaction.

Sampath Iyengar: Whatever you say I accept it as it is, and what is the name of the game in the first place, I told you the name of the game is this, you all were not having, name of the game is how to learn name, I am learning, so I also tough you in the begging, which is the easiest way to learn, did you get this or did you get this, they will be smarter then them, you know how they got and how you got both you know, then you will be in the better position to judge which one of all will be more right. so the answer is not important answer is only you know build up for teaching you how to learn but the process of learning is what is important so typically what happens for want of time I will complete this activity unless you are all willing to sit till 8 o'clock 9 o'clock 10 o'clock, now I have 10 different programmers I can give you my stress management system is absolutely wonderful, you will be enjoying your stress so much you will feels more stress from others this Percy west is the avenue, that's why when you add up. so typically what happens we go further when we do this you people are same answer together and then we give time to talk say I will give you 5 minutes you come back and resolve this or what do

you expect to happen so those who said -2000 so put 3 of them together this 2 people together, so on so forth. If I group that individually as one team then only thing will happen so the people who are saying 3 is the answer you know this is 3 only no you are the person saying no all you will say -2 is right, others are wrong, these people will be saying exactly the same and finally someone will say I will venture out and go and talk to the judge. this is what it is that's how I get to know 0, what will happen to you now if he comes and tells -2 nahi you such a fool man this is a 0 cannot you see this what will you do. it is the ideal situation but here practically if doesn't happen that way I don't because you are not even listening to her, you know very well that you are right, so you are put a blockage there itself, you are interrupting her you say no this is how, see this is how right it is, she says how, I give 1 hour 2 hour 3 hour time there are 100 sessions are done only one team solved after about 1 1/2 hour. it is not some body suddenly realize they said let us actually transact this and see what happens so they took 9000 rupees and they traded ok this is the bullock and cart let us do the exchange and see what happens, and they got the right answer, but ideal way even if you real life situation you may not be able to actually do it and see for you self the requirement is when you walk when she walks up to you what she should ideally do is to ask, my dear friend seems that you have a different answer than mine can you explain me how did you get this answer, you will be all best of your communication you will communicate to all how did you get it, who is smart now she knows how she got her answer she also knows how you got your answer she is in better position to decide who is likely to be, and possibility all of a sudden something else will strike no you are also wrong I am also wrong probably there is something else there are possibilities you are right I am right both of us are right because we are viewing from a different perspective and then you will ask her if I have got the right answer how did you get your answer then now you will listen to her because she has listen to you earlier you pay respect to her so she paid respect to you, so life is what we give what we get. 0 some gain at the end of the day this is not what I get I will give it is always what I give is what I get. so you show respect to your team members they respect you shout at them they may not be able to shout at you in front but they will do it behind you cooperate with them they will cooperate with you you pat them on their good work they will say sir what you did is fantastic. simple it is very simple but unfortunately we walk up two set of rules, one set of rules for me and one set of rules for everybody else unfortunately the nature doesn't work that way and we are part of the nature so yet I am not going to give the answer you can figure out the answer is a very simple one but the process is important one the answer is not but why not

discuss as a team and I will give you my contact no. free to call whenever you get the answer you call me or message me or what's app me I will give you the answer discuss it with your family members it will increase your communication it will increase your understanding. So next point is any questions on this because i just want to go on from this, all of you have understood, asking inquiring showing respect to others opinion to others views this is the best way to learn I am thinking I am right someone else is wrong all of us are equally smart in different things at different times so if I ask you who is the best in using a mobile your kid can be much better than you, but how can you say I am 50 I am this registrar of this court I have I control so much power how can this little kid know how to operate my mobile. So everybody is good in their own respective areas which is what we had the respect and all of you have heard the rabbit and tortoise story but there is a new story which also some of you might have heard I know the context but the situation that we are in it makes all the more sense for us to listen to this. (plays a video) ya if you want to clap you want to cheer you can cheer you can do whatever you like be like 5 year kid keep reminding you self so you don't need to be you know, you express yourself fully, so this is what happens if you would have seen the businesses understand this many a time people run in competition for so many years all to top competition is must then entire competition, why brothers fight why true friends come into this corrupt position like I am better no I am better, when we can use those competency and utilize for a common cause which is both of you doing you wanted to do it you achieve much more than what you initially thought, what you initially otherwise intended to achieve. Does it make sense yes, can you give any example for only you do it or one person can do this job he does not require any bodies support, anyone thing, in my last general the decision that you did for your bosses there sets deep in, can we, were will you sleep when, won't someone make the bed for you someone has to draw your curtain for you, somebody has to build a place for you, somebody has to put a air conditioner and a fan for you, think about it, were you require more support you may require less support but you still need support, so sometimes you have to leave her many a times we are, forget about designations forget about positions, I have a beautiful question for you guys, there is a car, which is a given car and you are the driver of the car right, and you have a prime house, you are going down say Bhopal to Indore or Ujjain you are going for a day trip, you are there your wife is there, your elderly parents are there and your little baby of 1 year is there, my question to you is very simple who is the leader of this car now. How many think diver is the leader of the car you own the driver, you own the car also you are the prime

leader, unfortunately baby is the leader, because baby is controlling everybody, baby cries everybody has to stop, when baby pees then everybody have to, first pay attention to the leader so definitions are position are financial conditions doesn't give you the power to be the leader under all situations and unfortunately if you really look at it above all these people there is one follower that is following that is you, the baby is the controller if the baby start controlling the parents are controlling your mother says no I want to then what will you do, you have to stop, your wife says I am Hungary then you have to stop, if everybody is fine then you have a wee time. In press conference somebody asks Mr. Obama you are the most down person in the world but what is the situation is at home, he said I am the leader at home, and then he add whenever Michell is not there, and my daughters are not there and my In laws are not there and if they have taken our dog out then I am the leader otherwise if any of them are at home I have to follow what they ask me to do it, this is the real story you google it you will get this. He is the American President the most powerful leader in the world can you accept this is what the position you are, accept the reality. Till what time do you have time for me.

Participant: The session is till 4 after that they have computer.

Sampath Iyengar: Computer they can learn later also am I right. So whenever you want me to stop I will stop, sure. Sorry as I said I am very stringent lots of time because in 1 hour you called me and I want to give as much as I can. This is what you all use computer to, as your operating system do you know how computer got's its name. This is the story computer means this there is a very educated guy, tropical country it is a tribe and he arrange a small competition he kept a bunch of chocolates a basket full of chocolate under a tree and called all the kids said all of you when I say get set go all of you run and whoever reaches the basket first will get all the chocolates and the response was so socking for him what they did they all held there hand each to the ground and all of them reach the basket at the same time so we think we are all very intelligent and these people are trebles they live in cottage they don't have any knowledge this is what they did in reality he was shocked and he ask how you didn't run all of you are capable of running and you could have got it why you didn't do it they said all of us are capable of running we knew it but if we all run unfortunately there could be only one winner and the other people will be losers and what joy in life have you have when make 99 of my friends unhappy and I am happy about it. This is true all of true either at home or at our work place I I I I..... we kill that we in the process but for that

we to be grate I should be equally grate good I good I good I a grate I can become a fantastic we, So I+I+I+I is always a we provided you have a collaborative style if you get into a competing style you become your enemy. so Based on this principal there is worldwide computer doesn't have any ownership right so it is free it is a free web so you don't pay anything to install your computer but if you buy a Microsoft windows or apple operating system you have to pay for it. This way principal of sharing and caring what is what computer in there languages mean ok so any questions so far, any suggestion so far how can I do better. So I will skip some of this get in to some of the I have some videos also but I will show you some videos, So team work works is the video about the Mumbai dabba vala, since we discussed that story earlier I don't want to put the same video and repeat it rather we see something else, so next point the team works one set when it is very natural for us to do it then only from the nature is the best now even in the break we were discussing look at how nature is following you will get all the answers the next best to nature is still unpolluted uncluttered case they represent the nature so if you have a stress or you have conflict when you have a problem you just call your 5-6 year old kid, your servants kid, any kid you know for that matter as this is a situation what do you think is an answer please listen to them 99% of time you will get the answer because for them see what is the problem with others this will not work this I can't do it this nobody will take it so we start eliminating this this this this kids have no such problem for them everything is possible for us what is possible we are dreading to find because everything non-possible for us my experience is you know your plan does not work but the world has changed in so many years we are thinking when you were doing when you were 10 years you tried it so it will not work today, how many of you have complained about your kids when they are eating they are also using the mobile or watching the TV. Why is that it is because we cannot do it. Can you send a text message can you send a text to somebody without looking at the keyboard tell me, you are eating but you know you have to send a message can you do these 2 things at the same time, can your kids do it? they do it flawlessly you don't even know, messages will be flying when I do this sentence in college and schools one condition that all is good I want to see both of your hands all the time keep it on the table only. That is what I am saying so we think what we can do is the only anybody can do it fortunately our kids are more smarter than us they are smarter than all parents and that is what the evolution is but we are stuck 20 years ago were ever we are we stuck there only we have not evolved but the world has evolved but accepting the fact your kids can do both better than you doing individually does it give them big power otherwise my doll

always says this let me do whatever I want to do, so even when you say something valuable the reception is not there because they have classified you my dad is always like this. He thinks whatever he is doing is the only thing the world does change even then he does not understand me, same with moms also do you agree with me on this? so this is what it is we have to accept we have to be learner you should be asking them how come you are capable of doing both teach me how are you do it. These are all simple techniques this is the button this is what it happens this is what it is no I can do this without it try learning it because we put some limitations, how many of you know swimming, how many of you want to learn swimming? I can teach you and make you swim in one hour. One condition you should get rid of the fear I am going to drown and die nothing will happen I am going to be safe if you can come with that one condition I will make you swim in one hour because that is the only thing which is holding you back and that's what you end up doing.

Participant: You are stepping onto the bath tub, if I slip I drown this is the fear psychology.

Sampath Iyengar: Did you see for your self-swimming are you see drowning, what you see is what you will be can you give me one other animal in the entire animal kingdom which cannot swim have you seen summer swimming camp, winter swimming camp for this for that animal for elephant, elephants can swim, elephants can swim in the sea ocean they travel kilometers together I have beautiful videos but i don't time I have 10,000 videos with me any situation you tell me I will show you a video do you know that new born babies can swim, but new born babies can swim you cannot swim why? Once we finish the regular session, I am available whole day you can sit and continue this mathematical problem we will solve it 8:20 working hour, till such time let it be lingering in your mind ok, so the reason many of us don't swim because our parents no, don't get in to the water this will happen that will happen, it's all filled in our head and we see those pictures and that's the reason why we don't get in, otherwise when you see somebody swimming, I can swim what's your problem, you think an ant can swim can you believe an ant can cross an amazon it is the largest river in the world, possible, let's see, if it is possible or not lets figure out (plays a video). what do you say now, certain ant could not have carried her up but when combined with the relative strengths collectively we are unbeatable any situation you can overcome tell me one situation collectively all your family members cannot resolve in sitting together and working on it give me one situation in your court in your work place there is a situation, there are the people who know it or in position where they can tell or not maybe the question mark, but if you create

an atmosphere like that where everybody has the freedom to express themselves and collectively we are willing to listen and learn from each other we can solve any situations. Rather many a time we call an expert and the expert will only talk to you and find out your problem and find out the solution from you and give it to you in nice packet and take a lot of dollars from you I am a consultant I do the job all the time I have counseled a lot of families come for counselling session, what do you want where is this problem, when did it started, what you can do what you cannot do and I collect the information for all them put it in my filter put it in a nice way and give it to them say this is the solution, they say wao we didn't know this I tell them all this you only told me I didn't do any of the, only thing I tell them after I take my bill. Mackenzie do the same thing, do you think Mackenzie will know about how to solve a problem better than. You go to an astrologer and tell him we have this problem solve it how can an astrologer solve which is your problem so you have better ability but how much trust we have how much you know confidence that we have in each other is a question mark , let me escape this. Then I will show you one other beautiful video how very relatively less educated people can do extremely good, I have two questions there, a male version and a female version and then I will give the choice to you people rather than I assume this is what probably you will like am asking you which version do you like to see, I want to know I choice is not good enough, A grate video for team work a male version and a female version which one do you want to see. Both is probably too much of time, you have so much to cover she is already making signals that we have to give a tea break. So nobody said male so I am assuming knowingly that this is what you want to see (plays a video). You think they are more educated then us, they have better strategies then us. Practice practice, why we show this is not a movie there you can edit it, do this and do that, every day they need to showcase live one small mistake by anybody will spoil the show, how much of practice they would be doing behind the scene to do this and end up this grate, how many times they have broken there bones how many have all there hard, yes you are not going to get it right just like that, what is it hard to believe in yourself and you have to believe in your team what is there to make corrections, improvement is a journey and never a destination there is scope of improvement all the time and everybody is better than everyone else in some thing or the other when we have the respect for each other when we have the desire to love what we are not good to learn from someone else how is better than us, we all get better, together everyone achieves more team that is what the funda so be very clear I have taken another 5 minutes more than what she allotted to me but when we come back we have

another beautiful game, ok, thank you. All of you have a document with you of one page document this one, ya so please leave that.

Ok, so while we wait for other people to come on this is the some of the good thing the grate leaders do I am not going to get in to details of that but these points are good to know. so understand that each one of the reasoning were nobody can think about anything and it is true for everybody but we have a tree not as somebody like me or somebody not like me, catch people doing right we all very very good in catching people doing wrong but every time you catch somebody doing wrong you are only doing dis service to yourself and your team, you are telling somebody you are not good that's what we do with our kids also you are not good in this and that, so child develops an attitude that I am not good in anything, rather than you tell you are good in this and that, catch them doing right you have organized it really well what is that you are telling him so next time he has to do better than that now you have given him a pride to live with and everybody wants appreciation and everybody looking at how I get appreciation then you develop the culture of appropriating each other success, enjoying each other success and that's how the team will grow up in time defiantly good and bad when you appreciate the good in public but when you have to scold him please call him privately and then, many time it's said ok what I did is wrong but you should have called me and scolded me but not in front of the others, same with our kids, the same with our spouses, same with our siblings there is any difference is we, one thing we don't like we should not be saying in public there by humiliate the person though the person has accept that he was wrong or she was wrong but they won't be able to do it if you do it in public be impartial, performance verses person the performance is what you are either saying when even when you are improving you are not prerogative the person behave is the performance, performance changes next time you have to change, you cannot say all the time you are always like this, if one time the person does you should say you have done a good job now so don't mix person and performance together trust, delegate and not outsource the difference between delegation and outsourcing means when you delegate it still you are responsible for, when you outsource it you are just be on the top. You are no longer responsible for this but many a times we think we are delegating but we outsource it, usko bola he wo karna chahiye, admin department is supposed to do it this department is this duty no if this is your job continue to own it you just delegate it make sure that you follow, make sure things are done because when you own it, even with your child's marriage what do you

do you just outsource it and leave it, ok you are given that he will do everything fine, will you not go and check everything show me this and that, you will ensure everything that is absolutely right but when you do this in your work what do we do, no i just gave you an example you know anything which is close to us were our stake is high we do all this thing, if you are constructing your house you do it, so maybe I am giving you extreme examples for you to relate but for example for your child's vaccination what do you do, will you take you are in town or not you make the call you make sure that someone takes all of this we do it that's what the ownership is all about even if it is your wife may be she is more responsible than you but still even when you are travelling you will ensure that she has taken. It's that day it is raining and she cannot go then you will find a cab driver or taxi or something you still own it because you say on that day you have to give vaccination you will, take your ownership same ownership do we take in our work if you do it things will, ask question instead of giving direct order don't tell them do this, say what will you do it, how can you do it how much time do you need, what help you need then people will respond to you much more openly, collaborate and benefit from the differences always appreciate the differences when other person can see exactly the way you see you both of you are missing something, when somebody can see difference from you then you will be able to grasp what is that you are seeing difference is than what i am seeing then there are much better view of what the object is because the world have a better view than what you have because world is seeing from different angles and you and your college are seeing from same angle that is you are missing many other angles so make sure when people differ ask why are you saying so, that will help you all but one mistakes before criticizing others if you accept ya I made this mistake, everybody makes their own mistakes then we know what is the criteria what is the mistake is the criteria the problem with argument is who is right, when you get into an argument who is right, I am right, I am right, and divide personalities and have you ever enter an argument with anybody so far, the guy is considered to be greatest human resource guy I am only made to give an argument not to start one any argument that has been started has never been won by anybody so rather than that discuss when you discuss who is right is not the criteria, what is right is the criteria, so arguments sperate people discussion bring together people, arguments create problems discussions solve problems it's very simple but we seldom do it gratitude is the best attitude whatever is the is because so many peoples contribution to all, and we need to be grateful to all those peoples we should express the gratitude. You get more, so be very generous with that and kindly forget, move on. Lots of mistakes we do you should

not be caring whole life, don't carry the same burden every day only your health will get spoiled only your happiness you are going to loss this is some of the principles if time permits we will come back so some of you are asking the question how the animal kingdom right, because this is want of time I will cut short see this is a heard of wolfs ok ya travelling from one place to another place so how they travel, the first 3 are the old and the sick ones then followed by 5 strong ones the last 5 are strong ones and the nederest at the back we can see the entire chain and from that the leader will direct the entire team the whole idea is in case there is an attack by enemies the sick and old will sacrifices there life's anyway they are going to die in very soon so they take the responsibility I am willing to sacrifices but if there is a possibility of protection the strong fight will go and fight out the enemy this is a real picture of a real group of wolf going from one place to one place, you say that we are the most intelligent people in the world, so prove that nature as all the answers for what we have so now we go into another final activity as quickly as I can finish As far as possible I will take it as long as you guys participate we can do it and any time we can stop it it's essence is what is important start distal and all those things we can learn ok, so this is a one page document in front of you quickly read through that it is called desert survival, a desert situation. Before that can you say one, you are 14, 16 people right you people are, you want to watch or you want to play ya ya I will give you the form, so let's make what 1,2,3,4,5 one side say 1, sir after 5 say 1 you are not playing, I will give you a form, how much time does it take to get a print, say 4 say 5, so all 1's together all 2's together form a team like that 1,2,3,4,5, quick, (an exercise was started). He has given answers for the exercise.

There is a feedback form, I would request to fill it up and anybody want to.

Participant: Sir give me the slides.

Sampath Iyengar: You can connect with me anytime for anything your professional things, your personal things, whatever best i do, whatever best I know I am willing to share with you for the rest of the life, one time you are connected with me I am connected with you for the rest of your life please write your feedback form give me a feedback what you could have done better, how we feel it, what we can do and also clearly right your email address in capitals because when you right in small letters sometimes it doesn't go with us different people rank in different ways

right your phone no.s then we will create a what's app group you can keep asking questions and then what ever I know I am more than willing to share thank you very much.

Participant: Thank you thank you Mr. Sampath Iyengar, CEO of blue tiger life is simple, this is what i have seen, really we have enjoyed the session and then we have no words to express our thankful gratitude it was outstanding presentation I call it and he deserves a resounding applause. In the meantime if you, you have already given the form for evaluation. Alright they will do it fill it up and give it to you.

Participant: The one page feedback form is for sir we will return it back to him, so that you can give me tomorrow or give it at night some time.

Sampath Iyengar: Anybody doesn't have, it is a form very simple one only 3 4 questions. Please check it out it should be there with you. There ya, so we call it as feed-forward we never say feedback because what ever happened has happened in we can use references.

Participant: No that is official that NJA will. Ok you have not got.

Sampath Iyengar: It will just take 2 minutes kindly fill it up.

Participant: You have any question on this subject, which was discussed today you can definitely put the question.

Sampath Iyengar: Ya I am available till 6:30 tomorrow morning so you can reach out to me anytime and I stay in what is the block guest house 2 room no. 6. I cannot reveal more details than that. All of you kindly look up and give me a smile please, keep smiling it does no harm and it does not cost anything. Thank you. So if any of you is on Facebook you can connect with me keep sharing some of the wisdom that I learned from various places, I am very active on Facebook quite active on Ling Ding, so today's communication channels are social media and we cannot ignore them. So we would had sufficient time we would have question each one of you why did you give this ranking, why did you give one ranking for these, why did you give say 2, I as a team you change from one view to the other views all these discussions can go as much time as you can and as you discuss more and more you will learn more and more. Do you think collectively if you

looked at every bodies individual score all of you, most of the items you would have got it right at least by one person all 15 items at least one of you would have scored it right, so that means what if everybody will work as a team your score would have been almost equal to the experts score that means collectively you knew the answer but we didn't collaborate enough for X Y Z reasons, those reasons are not important, you don't have a limitation of time all the time we had limitation of time today but in many a times in our life time is not a limitation the limitation is that we don't want to ask.

Participant: Basically what happens is this our judicial officers are not trained on this subject.

Sampath Iyengar: This happens even in corporate's, when I tried in the corporate this happens only place where we find.

Participant: This training is a must and you need to have the training for not only you know once or twice, we need to have a full-fledged training of two years but that kind of the training is not given to us, but we are required to assume certain positions which are effectively required to be manned by a person who is trained in the particular subject, but still you are required to do that.

Sampath Iyengar: Typically you are the academy heads and resources in the academy should get train on all this things, and so that see no extra person will be able to come and do it for a week long session 10 days session cannot do it.

Participant: We can have it, definitely, the academy is a list we can start with. Do you have the experience of such kind of you know session in your academies? Once or twice we need to have regular sessions like this in the academies.

Sampath Iyengar: So make up your mind what is one thing for sure you will take away and follow it. I am sorry I consumed more time than what was allotted to me so kindly excuse me on that.

Participant: So we keep on enjoying there is no bothersome for time.

Sampath Iyengar: Hopefully you enjoyed, you enjoyed, did I meet your expectations, you said certain expectations to be with, and did I meet your expectations. Ok thank you so much.

Session 5

Justice Jha: nothing unusual ma'am, we have to strike it. So it is just drawing room pack off, so that you allow, you could a necessary cause you have to attend it.

Justice Upadhyay: Geeta ji is coming to early so we will to wait for her. Wait for 5 more minutes.

Justice Jha: A yes.

Justice Jha: Have you not brought the Allahabad high court rules. You have brought your respective. Patna high court rules i have circulated and i have a copy of Allahabad high court rules, because i served two high court so i have a benefit of acting under two rules set of rules. ya we have the rules.

Justice Jha: Though we work under the same constitution with indistinct, and they kind of walk that is get it out in the high court i am just same almost same but given to the chief Justice and the rules relating to the functioning of the registrar judicial i have though seen there are few areas where it is totally different now we are this is off course understanding this is a historic day because we are sitting as a representative of all the High Courts in India. to come to a conclusion and to frame a rules relating to the functioning of the registrar jurissaling the High courts and it, i will call it a historic day well such a thing has never happened before as a understid were will be assimilating the rules of functioning of the registrar judicial in the High Courts and will try to frame a common rule but as all of us we know the power to regulate the functioning of the registry of the High Court is completely with the Chief Justice not even a leaf will move without the order of the Chief Justice in the High Court we will understand it, now even if we frame the rule how far it will be acceptable to the Chief Justices it is for them to decide about it. But we will make an effort today, we make an effort today to frame a set of rules which can be applied in all the High courts in India only we have to have such rules because the laws are common everything is have to be in the same way the High Courts are functioning the same pattern same things are coming to the High Courts for decision and same kind of work is carried out by the Registry. So let us try to have a set of rules which can be applied in all the High Courts in India to go out with it as understine let us first of all find out what are the best practices as they have designed the Judicial Academy

has designed, yet let us go with the best practices first of all each and every High Court will represent and speak about the best practices and then after we will discuss on the best base practice followed by the particular High Court and in this body we will decide whether that best practice is required to be adopted in the rules or not we will see the ifs and buts wouldn't it affect the best practices that is followed by Particular High Court, right? let us come freely and then we have the best practices, one after another listen to the best practices of the High Courts one after another that will be the best way out to come to a you know common, I mean goal or common area, yes we are all aware of over individual rules of the individual High Courts. I don't know other High Courts but two High Courts which I have served didn't really speak of registrar judicial anywhere it speaks of the power of the Chief Justice in respect of creating benches allocation of judicial businesses and administrative businesses also. So the registrar Judicial in terms discharges the functions delegated functions of the Chief Justice under the order of the Chief Justice as that in writing or otherwise some where the rules speak in writing or otherwise as in Allahabad High Court in Patna High Court also the, there is a term designated officer who could be acting under the directions of the Chief Justice for a juristic creation of wingchairs allocation of judicial businesses. That may not be as in the case of Allahabad High Court or in the case of Patna High Court the two set of rules which I am acquainted with that is no really any elaborate rules laid down as regards testifying which is a headache of all the registrar judicial. Allahabad rules speak of procedures of filing in some details what should be the affidavit who should share the affidavit how the identification has to be made and so one amendment was made on account of an order for my bench in contempt matters the rules has extracted that copy of the judgment was, which I had passed in Lew of the affidavit and on account of which the petitioner had been held up in contempt by Justice Sudher Agarwal and we were hearing the special appeal, so the primacy of the Chief Justice is undisputed, aah yes yes, under rule 225 of the Constitution of India rule making power is there with the legislature and if you go to that particular Article and specially the leading judgment on the issue that is the State of Rajasthan vs. Prakash Chand there is a very famous Judgment, is reported in almost all generals I have downloaded from the Supreme Court website.

Participant: Citations

Justice Jha: Citation I am missing.

Justice Upadhyay: Fabulous it is

Justice Jha: It is downloaded from the the Supreme Court website so you can go

Justice Upadhyay: 1998 1SCC page 1 State of Rajasthan vs. Prakash chand

Justice Jha: 1998, 1997 the date of judgment is 1997 anyway but the report this.

Participant: Tthe report is 1998

Justice Jha: 1998 and this judgment the episode was something different and sad as well but this judgment has elaborately discuss the primacy of the Chief Justice the position of the Chief Justice vis a vis. the judicial and general administration of High Courts with reference to different rules of different High Courts this judgment has referred to several judicial pronouncements as regards to the primacy of position of the Chief Justice of the High Court. So we have to be very clear to be very very clear about it that the Chief Justice is the soul arbitrator of allocation of business creation of benches and the registrar judicial has to act wholly under his control.

Justice Upadhyay: Master of the rules.

Justice Jha: A yes the master of the rules, he is the master of the list, he is the master of crating the list and the judges are the master of list when they get it, the Patna High Court rules speak of daily cause list the Allahabad High Court rules speak of the cause list preparation of the cause list, the listing of the cases for which when here what type of cases, statutorily empowered to hear a case the allocation of businesses as per the statues and where there is silence of any statute d then the rules are there to guide us as regards the listing of cases so there could not be much difficulty in listing of cases firstly because the Chief Justice is there to take care of any difficulty which might be arising in allocation of businesses of benches sometimes the registrar judicial have been hold up by different single judges division benches of different courts, matters have been reported, the matter had gone up to the Supreme Court in different matters from different states only because the unable judge who was hearing a particular case was divested of the case it was listed before another bench for any particularly reason now ant registrar judicial could or any Chief Justice could take resort to this particular judgment Prakashchand and this clearly lays down that

the Chief Justice has the prerogative of withdrawing any case even part of matters from any case for sending it to another bench of coordinate jurisdiction or coordinate strength or a larger bench for any particular reasons so there could not be difficulty that we also but the agenda which is fixed for us brother Upadhyay was telling us to me appears herculean because you know the framing rule framing powers vest in the high Court the full bench of the full court of the High Court is empowered to frame rules and then it has to discharge that administrative business but the they got the I don't know from where that got the incline of taking up the task of framing an agreeable common rules for judicial business of different courts, I believe that a suggestive draft could be made, whether it could be acceptable to the full courts of the High Courts or the Chief Justice apart because Chief Justice doesn't figure when we talk of the full court because Chief Justice you know first among the it courts so he might have the primacy in allocation of business, for formation of benches but otherwise his stance has the same porting as well as the Constitution of a High Court, drafting model rules to me should concentrate this is my opinion a suggestion to all of you if it is acceptable to every one of us here there is no judge we are not, we are all equals here sitting in a workshop to discuss the implications and the ways and means of drafting rules so if you accept it then we should concentrate more on the filing part of administration of judiciary in the High Courts because my experience vest in the Patna High Court but greater in your court in Allahabad High court which I have special affection for that High Court because it was a very short period but I had great sting there the rules are there the Allahabad High Court rules are there but still on account of practices because practices also become as part of the business of the High Court you it has happened in some case so it so happened in this case also advocates take out a case it had happened in that case so in my case also this should be the practice which should be followed in Allahabad the day I took over I sat in a division bench with Justice Yatin Shing who retired as Chief Justice and from the next day I was heading the division bench and after I had served for two years most of the present judges came to me sir how could it be, how should we overcome the deal with the difficulties of listing bail application hearing with respect to all the judges I have given respect for every one there the staff, the the supported staff, the judges but I must say inform you that some practices are not very good there those were judge invented practices like in bail applications you all know you have all been hearing bail applications yourself, where did the question of filing accounted affidavit, the FIR is there the material facts are there in the case study the public prosecutor, the petitioner council is there, the judge has to tread the

FIR find out the allegations here the defense if he wishes so he made effort to the paragraphs of the case diary pass the order. But they had the vulnerable judges somewhat the other for the particular reason it was a very not late, old practice very decent practice, one or two years prior to my joining the institution so they use to seek counter affidavits but now the hearing was delayed the disposal was the detailed pendency was noun-ed then they have told me about I suggested let me sit, let me break my division bench the Chief Justice told me that why break my division, no how could it happen, your division bench is also very important, death reference matter are there, they are like half day bail petition half day detention, when the registrar Sharma ji was there in Allahabad I don't know whether he is there.,

Participant: He is

Justice Jha: He is still here in Allahabad

Participant: Now he is a registrar services

Justice Jha: services achha, the Sharma ji came to me, how should I Chef Justice have asked me to talk to you first half bail application second half hearing matters but after I sat for one day all contentious issues like you know the GPFS scam cases, the NRHN scam cases they all listed before me, when I was hearing and in D V advocate sir appearing in those cases then I to asked Sharma ji relive me of the division bench and I went to the original practice of looking to the FIR and that is very good practice in Utter Pradesh, every state should adopt it it is such a beautiful thing the day petition of bail is filed notice is given to the advocate, and government advocate and he sends a notice to the concerned dispute immediately and within seven days he receives the whole comment and the case tag without any hush or fuss so on the seventh day of filing the petition the the petition in list before the bench with all vetirions so it is a matter of 3 to 4 minuteness to dispose of a bail petition but you will wonder that it use to take months to whether disposing of the bail petition I adopted the old practice the very easy practice of looking to the FIR so then there I found ki rules are being violate by the advocates how? in place of copies of FIR they use to annex the first copy of the case diary as the copy of the FIR it was, they are used to annex the copies of the paragraphs of the case diary, they use to annex the copies if the postmortem report, first photocopies all from case diary, then I took up the matter with the advocate, I said dismiss your

petition, how could you annex the case diary it is a confidential record, how could you annex the postmortem, photocopy of the postmortem, it is a confidential record unless it could have been used by the judge only you could be getting it at a, an unappropriated time to unen 7 to unen 8 , then I didn't really dismiss I directed that it is a defect filed, the defect should be removed within itna din, it is has to be listed then else it shall stand dismiss. Listing is in Allahabad is very scientific there is computer section, the listing is there it is [00:18:50] rigistar and registrar sits there some Shing was there from Mushaphar Nagar or something like that, then advocates started hakling, how could you? earlier it use to happen , then the computer Devady is there in Allahabad and Devady he told me that Devady he told them that this was the judicial order I cannot over write it, I love my employment here and I have not to sacrifice it, then they came to me then I told them kii no you take any we know you go and take any adjourns as the advocates you list it in the bench effective listing and then I handled so listing is one problem where you have to wear the vasima you sit in your office or court for hearing defects removal of defects, points of the whole of defects so this is one area I believe and I trust every high Courts Should be facing problem with so we should be attend to all and out the difficulties in listing of different petitions and removal of defect specially and barred an excess, not as per rules or as per practice prevailing holding of affidavits in support of the contents of the petition, sometimes court fee matters may also come up, devlety come up these issues are to be taken up and the filing there are various certificates which are also to be given by council or by petitioners so what is the defect?, we find defects in to listing also, so this is one area grey area which to me appears bothering almost the administration of all High Courts so this could be my suggestion that if we could reach a consensus on removal on process setting down procedures suggestive procedures I always mean to say suggestive procedures to different Chief Justices it could be acceptable to you in order to lessen the burden of the registry and the supporting staff. to me the best practice is available in Allahabad also in Patna also, might be ah yes. so we petition are received the defects are pointed out immediately and if the advocate is there at the timing, file of timing also he is called or a notice is given you remove the defect in such and such time I have, asked to circulate the Patna rules , the filing rules this is not that you should adopt that, this is only to put some rules into your domain in order to form the odit and find out whether that rules also require some modification or should we model the filing that it is very short it is an elaborate rule you have got

all rules yes as for you please found out what not only this rule, the Allahabad rule is also with being the other rules you have brought with us.

Participant: We are circulating all the rules of all the High Court

Justice Jha: ya so, you take out all the best practices which is adopted in your High Courts you compare the practices prevailing in different high Courts and focusing mainly on filing because listing has to be done if it is a defect free filing then it has to be listed there is no difficulty in it the main grey area is only the filing and recite of the application processing of the application if it is defective , removal of defects hearing on removal of defects or petition or appeal or petition being time barred or any such legal lacuna which has kept as account of any disability legal disability so these are issues which require special attention if are supposed to suggest a model rule of business so this is what I have come up with and I have shared my suggestions with all of you and let us then take up the individuals suggestions which come from all of you, yes we rose up to become High Court Judges that did not give us a certificate of competence defiantly not, I do not believe that in a judge of High court gets everything only because he is a judge of the High court. I believe in consultative leadership methods you consult all your support staff on any particular issue and you do the best which could be coming out of that suggestion we all are here to share our minds to reach a conclusion and to draft a suggestive rule so it is over to you now to give your opinions one by one basically what I understand is this, there is we are clear about the model rules we will be drafting a model rule find it, in the model rule as you see, this model rule will go to the CMs conference, were they will also consider, further it will be immediately adopted, the model rules what we suggest today will go to the Chief Justices first and finally it will be placed before the Chief Justices Conference and then after it will be placed before the CJ and CM conference, and final decision probably will be taken right there so let us do our assignment, I mean let us complete our assignment and then we will prepare a drat of on the bases of what we find in our discussion . You can do so much of it after that whether the rules are adopted or not adopted we should not be bothered about it, this is not how this is a creative act. Should we start with the discussion, then the agenda is this that the we will be first of all identifying best practices. We start alphabetically the least novany is Mrs. Rekha Agnihotary judicial Allahabad, Madam Agnihotary please.

Participant: We all know that at Allahabad there is a huge pendency of cases and it becomes difficult to list all cases at least once in a year at Allahabad there are more than 8 lakhs and then at Lucknow Bench there are more than 2 lakhs so we try to formulate some programs or develop some software so that the date may automatically be allocated to each case, though we are 100% successful but we are,

Justice Jha: From my side first of all you need to have a roster, roster is given by which inter says, see what kind of method you adopted in preparation to a roster, roster is prepared by registrar judicial, anybody under him, a joint registrar judicial or may be a deputy judicial who is entrusted to do the job he will go and get the roster from the Chief Justice you know you are required to obtain the roster from the Chief Justice but the roster finally comes to the registrar Judicial he is required to do everything on that and Registrar Judicial will definitely have a say to the junior officer do like this, do like that this is important, this is not important, at times the registrar Judicial even go to the Chief Justice and you know informs certain very important certain things which all of us we know to the Chief Justice, because of my experience in working in Allahabad and the rule is very good there are provisions in the Allahabad High Court there are very good provisions, provisos are there and that they are under practice they adopt those rules if you have urgency in hearing a matter in getting a matter on hearing list then a petition for listing has to be filed before the Chief Justice, very good I appreciated the imagination of famous of that rule and the Chief Justice considering the urgency direct the listing of the matter the Chief Justice creates the roster, the allocation of business is apparently there with the Chief Justice, it is different from other High Courts it is different because you know everyone is not aware with the difficulty of Allahabad. It is really very difficult and it is something sedentary for the judges they have to work 12 lakhs pendency such a big state were you take overnight journey to reach one end to the other end of the state and people from Saharanpur will be reaching Allahabad after overnight journey. Over 75 or almost 75 districts, you cannot imagine the magnitude of the work there or the listing is there primacy has to be decided by the Chief Justice. the Chief Justice Creates the list in some High Courts may be in your High Court monthly list is prepared and then weekly list is also prepared simultaneously that monthly list allocates the business and the nature of cases to different benches in Allahabad things are bit different the list is not monthly neither, it is on daily bases.

Participant: Daily cause list.

Justice Jha: Daily cause list and what happens is that benches have created 15 days ahead of the list taking effect. The list comes out , it goes with confidential to all judges, were you are likely to sit and in your High Courts or in most of the High Courts, Courts room are allotted to the judges, in Allahabad they do not have such kind of practices except for the Chief justice there the Chief Justice of High Court in a court room, otherwise the list itself prescribes the bench, the court room were the bench shall sit and it is a very good practice considering the , you will also appreciate the no. of litigation pending there, because it is very difficult it is something, it is logistic problem big logistic problem to shift the files from one court room to another so the files have to be kept permanently in particular court room were the judges have to go to sit, may be in court room 41, may be after 3 months in court room no. 52 files have to remain in 42 files have to remain in 52 were this is what Allahabad Practice is yes .

Participant: When the Large no. came, large no. of cases are being listed before the courts daily no thing 150, it's a very difficult to hear all the cases for the judges to.

Justice Jha: Tthere are two list in Allahabad one is the fresh.

Participant: Fresh cause list

Justice Jha: you get it in the evening you have to sit tomorrow you get the tomorrow list, fresh list in the evening. With the records and there is a regular daily list, there are two list

Participant: And apart from these two list sometimes supplementary cause list is also placed if any case is left out, or if case is given a date at the time when the cause list have already been published and before it takes 3 days to publish a cause list if date is given today and the list is tomorrow then it will be published in the supplementary cause list. There is roster at Allahabad.

Justice Jha: What according to you is the best practice, in your court?

Participant: First off all I think that over chief Justice taking care of the roster he himself tries to.

Justice Jha: No no, leave aside your Chief Justice, no no we are mainly concerned with the best practice. in your Court as regards the filing, especially filing because registrar judicial is concerned

mainly with filing, distinctly of the Chief Justice he directs you to create the bench this way you create the bench, he directs listing of cases accordingly you accordingly list but filing section is also under you. How do you handle that problem we are concerned more about that.

Participant: the cases are, petitioned are filed in stamp reporting sections and there are several wing rose which petition can caveats, bail application, other application, review application have been filed and stamp reporter examines the petition whether it is according to the rules or not, if the certifies copies have been filed if it according to rules the no. is generated and it is passed and it gives to registrar section , there is filed in computer and there make an entry then it is enlisted before the court after a day.

Justice Jha: it is computerized filing

Participant: no it is not e-filing, in fact it is not e-filling.

Justice Jha: not e-filing I am talking about but whatever filing is there is accordingly, then everything is filled up.

Participant: everything is filled up.

Justice Jha: everything is filed up and you will find it in the computer.

Participant: yes

Justice Jha: before removal of defects or after removal of defects

Participant: after removal of defects.

Justice Jha: How do you, the concern is, if I could be there then I could be asking you to inform us as to how you handle the defective filing, how do you handle the defects, this is very troublesome.

Participant: yes it is really very troublesome, when the file is defective they inform the council the stamp reporter official, will inform the council or the no. generated is displayed on the display

board so that they get the information that there is a defect they come and remove the defect if the defect is removed the file is saved for passing

Justice Jha: there is a special display board of the filing section also, because this kind of system is followed every High Court in India today, the filing is computerized, we are talking about the display board all the courts have the display board of the items that are taken up inside the court room, outside the court room there is a common display board where the items which have been taken up by the court in the relevant point of time will be displayed apart from that you have said now that there is a display board in respect of the filing defects in the filing section, is also there this point is required to be noticed display board. That is, ya then at the time of filing you have meditative point or the petitioner or the lawyer of the concerned petitioner that you will have to give your mobile address, I mean the mobile no. so that an SMS can be sent, and an e-mail address also. do have a display board. should we do one thing, should we back to, otherwise. Of course one thing tingling will be there only if someone has discussed about the subject that opportunity also we should not miss but we are short of time also so let's continue one after another. Just so you know you have initiated the discussions.

Participant: We are also taking the services of for SMS, but after filing after passing of the case we send SMS s before passing there is no provision for it. once it is filed and all the entries are made you mail the phone no. that has been entered in the registry section only SMS service had start well the defect is shown the lawyer comes in removes the defects and it is passed to the court if he objects sometimes it happens in the cases where certified copies are not there, not eligible and they insist that it should be passed some time the officials come to show us whether it is legible it should be passed or not if it is legible then we ask them to get it passed. Recently one miscellaneous criminal writ was filed and the copy of FIR that has it was FIR, it was totally blank, and register section ask the lawyer to remove the defect but she refused, and misspoke with the staff to, then the staff the stamp reporter put a note that the copy is not legible and send it to the court then the matter came before the court the basic criteria is followed in the court that there is note that the copy is not legible and the court dismissed the petition and also ordered for an inquiry. That how the petition was passed when the copy of FIR was totally blurred, though the official to protect himself from the nuance of the lawyers put a note but still the inquiry was initiated against the

officials. This is also problem they cannot withhold the files when there defects are not removed when the lawyers is stubborn they create request it becomes unmanageable for them.

Justice Jha: Allahabad has that problem yes.so what are the set of rules you have for the registrar Judicial, do you have any set of rules, regulating the functioning of the registrar Judicial.

Participant: I have not brought it.

Justice Jha: the rules never speak of rules for registrar Judicial. Registrar is there right. You have a specific set of rules. Question is not rules. You have adopted the rules with somewhat deification yes. Jurisdiction of Judges siting alone. You have rules allotment of duties to registrar judicial. i understand it's what I discussed and all the power of the Chief Justice, would say that yes these are the activities what the registrar Judicial will carry out or these are the duties allotted to registrar Judicial. allotment of law, so at the most here we formulate any rules for the registrar Judicial then it will be the allotment of work to registrar Judicial such are the allotment of work to registrar Judicial to Allahabad High Court and these are the work of registrar Judicial for Guwahati High Court or any other High Court and then we can come to an common allotment of work to the registrar Judicial we could have a common you know, whatever you call it you will call it a rule or allotment of duties but you, alright I will just please let me complete. the rules can be there, rules relating appointment but that is not the subject we are dealing with we will not deal with that subject today, now this is what we need to ponder upon, now the question let us first of all find out what are the best practices alright, what is the best practices. We have listened to Madam Agnihotry and let us continue to listen to madam. Before that let us continue, let us finish this and then when i reach you we will defiantly hear you alright let's do that ok. Dr. Salim Akhtar registrar Judicial Andra Pradesh. ya please. Giving my honest experience in the year 1997 long back, 21 registrars were summons to the Supreme Court of India for the purpose of , I was one among them and at time what was done is this all the cases of the Supreme Court were there for 21 Days, the cases in the Supreme Court of India all the cases were given to us and then we were required to find out the substantial question of law in each and every case and then put it in the computer and related decisions on that particular question of law at that particular point of time there were 11akh 10 thousand cases in the Supreme Court of India after reading the cases we reduced the no. to 25 thousand only. this was the beginning it was a you know the then registrar retired Chief Justice of

High Court, he was there and we did it like that and at present almost in all the High Courts in India grouping is there but in some of the High court's its dormant is not being actively or aggressively done and some of the High Court as you have pointed out is were aggressively done. Bunching of cases is very Important this point we can definitely note down, bunching of cases. Now what is the category of dispose of cases, let us know from you. If the case is already disposed of.

Participant: only 60 thousand cases from the Allahabad Benches have been disposed of, I have figure of Lucknow benches.

Justice Jha: Alright 60 thousand cases have been disposed of. and it happens like this I am telling you, another example, in some of the cases the main cases have been disposed of, other writ petition is disposed of, there are about 3-4 interring applications kept with it writ petition is disposed of, and the interring applications remain pending and in the list of pending you will find the yes the these cases are already there so you can also those type of cases and listed it under one particular bench and get them all disposed of. This is one way out this is possible. it is called court master or court officer. because at the time of listing of the cases at the computer there has to be some indication just below that there are so many interim applications pending , all those which are pending has to be just reflected in cause list itself so that in one go everything can be disposed of. Dr. shab how do you handle the filing, in your court, na how do you handle filing of petitions or appeals or writ petitions or different petitions? How do you handle filing and the role of defect? So let's come to Mr. Vijay S Kulkarni registrar judicial Mumbai High Court.

Participant: which are filed by the advocates and the litigants, the cases are being presented with objections or a defects. first of all we are, hadn't hang those cases and the concerned advocates are called upon to remove the defects or the objections which had notified the scouting officer, scouting officer is deputed for a checking the list of the cases to be sorted out and for removing the defects they even SMS acent to the concerned advocate informing him that the cases is pending for the removal of defects and accordingly the advocates are coming and they are removing the defects but in my humble opinion the cases which are presented by the advocates of the litigants having the defects or the irregularities these cases may not be accepted because it will be of time killing and time consuming factor if the model rule is framed that the cases which are the defects

to the deficiencies or the irregularities these not to be accepted while making presentation of plaint it will be better for the curtailing of the time saving of time and the uniformity of the presentation of the cases.

Justice Jha: any other thing anybody would like to.

Participant: the cases which are showing the defects these cases are notified to the registrar scout and the SMS also sent to the advocates concerned and they are coming before the registrar and the registrar after hearing the advocates the appropriate order is to be passed. Yes it to of accepted or it is to be issued. Yes yes we have power to refuse the registration of the case. No we are refusing the registration we are not rejecting.

Justice Jha: one question will come out see when a writ petition is filed in the registrar you are required to note it down that such and such application has been filed some kind of no. is to be given to them.

Participant: a stamp no. is given.

Justice Jha: stamp no. is given. There after some defects are detected and the person concerned is asked to remove the defects and is also warned if the defects are not removed then the defects file will be returned back to you. We will not processes it any more. This is good enough for me. because you know you have not it's not that you have not processed it, you have considered, you have seen there are certain defects a person comes with blank sheet of paper and says that this is my application or some kind of scribbling is there which h is not , where nothing can be gathered out of it and he files it saying that this is my application and you find some defects there and you say that, you have put a no. to this , but this this this things are not there or you have not completed the requirement now you are required to complete the requirement as in terms of the rules if you do not do it we will return it back to you. Good enough. You have given a no. to the particular thing.

Participant: sir we have prepared the check list and the officer is the soliciting the cases and there after they are listing the cases for the registrar for passing order.

Justice Jha: ultimately what happens otherwise, the case is no. and it goes to the registrar for the removal of the defect and finally it goes to the court, if it is returned without the astroces then the burden of the court is reduced.

Participant: we call it as the rejected cases it is nether dismissed nor allowed but it is called the we have given it the category of the rejected cases because of the person who files the case doesn't remove the objection in time in spite of giving time so we call it as the rejected case that is what we do in Bombay High Court. It is done by the registrar over rule provides for the.

SESSION 6

Justice Jha: Let's continue the discussion in that case, so May I request Mr. Avan Joshi, is he here, sir please, he is the Registrar Judicial one and in charge to in the High Court, please.

Participant: As I was telling just some time back, we have got from the High Court appellant side rules which are comprehensive, specifying the duties powers of the registrar.

Justice Jha: Just listen to him.

Participant: It provides for the rules regarding the disposal of matters by the registrar, as I was Telling that were ever objections are not removed the registrar get power to dispose of the matters and it is shown as the rejected case. So the rules are quite comprehensive they deal with queries issue like formal amendments, removal of objections, extension of time for a removal of objections, then even withdrawal of documents because what bodies provided over is that whenever documents are filed in the High Court those documents can be permitted to be withdrawal by the registrar but were the documents are filed before the trial court and the recorded proceedings are brought before the High Court in that case the Honorable judge will have the power so also various other powers and duties like investment of the amount which are deposited in the court then dismemberment of the amount so therefore as far as Bombay High Court is concerned there are comprehensive rules this specify as to what registrar can do and what is excluded from his powers.

Justice Jha: It is given, the powers of the registrar.

Participant: It is, it is provided. Chapter 2 deals with the powers of the registrar, and there are as many as 26 specified powers which a registrar is supposed to exercise, and there are duties also what was the registrar is expected to do with respect of the. So we have got quite comprehensive rules.

Justice Jha: So that is in the Allahabad also and in Patna also specific powers are given to the registrar. What is the chapter?

Participant: Chapter 2 of Bombay High Court appeal has said rules. There was a peculiar situation there is ordinary original jurisdiction of Bombay High Court so far as city of Bombay is concerned so we are having two sets of rules in one High Court, one is the appellant set rules, one is original and one is, most importantly though a registrar Judicial is a judicial officer there prothonotary and serial master is the in charge of the original side who is never, at least till date he has not been a judicial official so he rose from the rank of a staff to the rank of the prothonotary and serial master, prothonotary and serial master just like all the duties which the registrar exercises he does it on the original side.

Justice Jha: what are the powers of the prothonotary?

Participant: Almost same, but the thing is that as everybody knows that charter I told since beginning even suits used to be filed even now also suits are filed of violation of more than one Cr. so for that purpose that particular separate branch was created earlier and that continued to work actually now there is a committee formed by the honorable Chief Justice for unification of the rules of course that is in progress and process so I cannot say much about that, but I can say that there are really a very categorized powers been given to the registry and of course the court has all discretionary powers. So for the framing of the rules I suppose that these chapter 2 may be of a good help.

Justice Jha: Framing of the rules is the, itself is the agenda it is given in, academic program itself will indicate that the draft rules are going to be presented before the CJ and CMs Conference and this has come here through the Supreme Court of India, the Supreme Court of India must have indicated to get it through, get it prepared, get the draft model rules prepared for the purpose so will be doing it because some of the high courts are having only the allotment of duties to the

registrar Judicial and some of the High Courts are having specified rules regulating the functions of a registrar Judicial and what are the areas where he will be working so what we can do is this after the discussion is over we will form into 4 groups and then identify those rules which are very suitable and can be adopted by other High Courts we will only indicate those rules and pick it up and prepare a model rule and give it to them for their unit. whatever they want to do they will do with the model rules but we can very well you know after having discussed the issues and subjects then very well say that this is the rule we can straight way adopt a particular rule also of a particular high Court if this the best rule why not adopt it? Alright. Rules are there you will be surprised to. Whatever minimum rules that you have seen, alright that we will do it.

Participant: Sir this is what the High Court have send us, they called all your High Courts, your High Courts have send us only that.

Justice Jha: Alright we will do the exercise all right we have the websites, we have the rules in the website if not any were else then we can sit together and then we remember many more things and the rules are not so very lengthy rules relating to a particular jurisdiction given to registrar judicial is not so very lengthy we will concentrate on that we will, discuss on the issues subject and we can you know come out with some rules which will probably be helpful for all the High Courts. Alright, now do have any other best practice you would like to indicate. You tell one thing you share one information with others. Automatic data location system right. You have e-filing. look here there are so many best practices as you have said that automatic data allocation system provided oldest have to get priority. Then another thing was coming in my mind I don't know whether some of high courts may be having this application in the mobiles and draw the application. Has anybody prepared a mobile application? For whelling cause list or giving the cause list. Disposal of a case on the same day instantly. Because chaos is there now days, in the kiosk you can very well see in the evening at the end of the day what are the cases disposed of or not. This is available in the mobile applications or not. This is what I was wondering. Alright but the kiosk is not you know available in the mobile applications through net can we imagine that we can transfer the kiosk in the mobile application. This is what it is. Just understand I am trying to think out of the box. As they call it now days thinking out of the box kiosk can it be you know the connectivity part is only involved here, if the kiosk can be interconnected with the mobile I mean this thing link up then very well you can see the entire information there is available in to the kiosk

in you mobile any one would be able to see you would not have to rush to the kiosk were by kiosk to see what is the result of the case. This is what I was wondering. This is possible? On the same day in the evening, like the, we all get to know in the kiosk in the evening in the high Court Premises. Some of the high court's up lode it in the same day in the evening, immediately first of all it goes to the kiosk right and then it goes to the website. I don't think it goes to the website first and then comes to the kiosk, kiosk is something which immediately connects, because it is internet, something which is happening inside the high Court can be viewed through the kiosk and then for viewing information in the website you need to up load it in the website this is another area we can think. I don't know. Another thing I was thinking whether it is possible or not. Every lawyer is having a mobile. So the lawyer need not to go in the law court or any other court he may be little away from the court premises he would like to know what is the position of the case which is having in the court room. It's available on the, you know, usually it is available on the display system, is it available on the mobile? Some of the High Courts have, some of the high Courts don't have and just you know giving the information to the other high Courts which rules, they can introduce this system. That you can transfer the information in the mobile application also. Next we come to Satisingh. You give some time for the removal of the defect and you put those cases on the list, list of defective cases. You have separate list of defective cases this is good news. And if the defect is not removed then? Bench for dismiss the orders. This is the rules. Any opinion on this. Let's proceed with. We come to Mr. J Tripathi Delhi. He has not come. Ranju Nadi is here, Registrar Judicial of Guwahati High Court. Cause and functions of registrar. Allocation of duties to the officials of registrar. We come to Dr. A P Harkeb registrar Judicial Gujrat. For the purpose of listing it in the cause list or preparation of a cause list automatically the neat way of the information in the computer system but how many cases have been filed? What are the types of cases filed? all these will have to be in the computer system to get a you know a ready cause list through the computer, so apparently as I fell as you have said that you have publishing the cause list, defiantly you are at least the filing part of it is only taken care by the computer as I Understand it. And are you still as you have been shown like as a principal distinct. Are you in the district or are you have already joined with the registry? Any best practices you would like to indicate. Now come to Deepak Nath Tivary registrar judicial Jharkhand. Do you have any specific rule for the registrar judicial? No specific rules.

Justice Upadhyay: Infract the situation is because Patna High Court the Jharkhand High Court was created out of Patna Jurisdiction so there is a common rule and the situation in both High Courts is that Registrar Judicial as such no registrar judicial is there, joint registrar judicial is there in both the High Courts and the real judicial work is done by joint registrar list in computer. The nomenclature is list in computer in the Courts. So the NJA is not aware of this situation in these two high Courts because the two High Courts have post of registrar list in computer and there is no specific rule now the Patna High Court has rules in 2013 and prior to that and the Jharkhand has not, the Jharkhand was created in 2001 so they are not aware of the development in Patna High Court or they didn't feel any necessity the traditional precedent as what has been done that is been done so that is the situation. But Patna High Court has now in 2013 has framed rules regarding judicial work of the registrar list in computer, so the nomenclature is confusing because the nomenclature, one of the registrar list in computer are was talking to me he has retired, brilliant officer D K Sharma and he has done 50 articles legal issues, written books many things. I told justice Mishra that my nomenclature is very messy, I am designated list of computer. So the real, D K Mishra is use to calling judicial Registrar. So the problem is of nomenclature here, the Registrar Judicial in two High Courts Patna and Jharkhand is Registrar list in computer. This is the confusion because National Judicial Academy has sent a request to two High Courts for sending the registrar Judicial, and now registrar judicial from the Jharkhand High Court is here and he has only to look to the file when it is at the stage of removal of defects. He does not have anything to do with the listing, allocation of business, creation of benches and other matters. And he could be handling to tell you the truth of the two High Courts mostly the financial matters. in both High Courts there is a registrar establishment, you were comparing of clerical officer being made the controlling officer there the High Court, Patna High Court has send in a good, they do it traditionally a long tradition, they have created a list of, the job of, the post of registrar establishment, it is a clerical post, so they take the registrar and the establishment takes care of all the things, state officer, works as the head of the protocol section. He has been required as a clerk he should look after the affairs of every administrative affairs concerning the judges or employees of the court. so that is there but it does not have any judicial, no concern with the any judicial aspect of the high Court in Patna and Jharkhand both High Courts and you we will come to it because I have seen that registrar may be doing some other things, are also there and they let officers on special duty in both the High courts, he acts as the registrar vigilant in matters of inquiry

and assisting of allegation file in respect of officials of the ordenen judiciary and registrar list in computer is in fact the registrar judicial about whom we are talking in the two High Courts.

Justice Jha: So we come to now Mr. P N Desai where he is a Registrar Judicial Karnataka.

Participant: Sir our High Court has got rules, rules are there and as our college told the role of registrars is defined but not specifically registrar judicial, whatever powers and the functions of the judicial that separate chapter is there and separate order is issued, precise rules of the registrar judicial. This is under chapter 4 offices of the court. There they define the what registrar can what matter he can take what matter he can dispose of, a specific role has been assigned and Chief justice is also issued separate order allotting the specific work to a registrar all registrars including registrar judicial that is how we function but as stated there is no separate mention of registrar judicial, it reads only registrars, joint registrar that's what it says. I have only as per the directions of Chief Justice Allocation of work we discharge our duties. And regarding filling sir, as stated by our colleges there is a filing, in it as soon as the case is filed it will be entered in the computer name everything will be entered in the computer but contact. Then immediately in our high court no. is given, the case no. itself is given. they have got some other category, stamp no. or a FR no. some High Court call it file no. but in our High Court immediately the case no. is given so then there after the file goes to the scrutiny section there is a separate department a scrutiny department, one is civil scrutiny another is writ scrutiny, writ appellant scrutiny and criminal scrutiny. Four scrutiny benches are there, each headed by a registered registrar control by deputy registrars then they will scrutinize the file and they will give classification, they have got a separate list of classification of cases which categorize comes suppose it is a land reforms, writ petitions, service like that. Grouping the scrutiny people themselves will mention in the computer they will classify it and mention in the computer and for grouping again sir, recently it is mentioned in this book also last time I suggested it is there in this book also, even among the category services matters, we have made a classification in different, services dismissal, promotions, transfers so some code no. that will have to be given so immediately judges can group them and one day they can take this promotion matters, one day dismissal matters, like that. In NOC cases same thing, injury cases, child death cases like that reassembled cases then person death of a person in service, death of a senior citizen, like that we have made grouping. So that scrutiny people will take care of it and immediately after the scrutiny if there is an urgency automatically the case will be listed otherwise

what is, there is a deputy registrar he is he will receive no. for posting, if there is an objection of course objection will be notified on our website, our High Court website indicates have put everything in the top side, what are the requirement or what are the objection that will be considered. The scrutiny what have to check that is like check list, they can comply it no problem, so website by put on by e- section of the notice board what points we are going to check in writ petition, civil, criminal whatever it is there. Then immediately after the scrutiny objections are there, they will also be put on the website there anybody can give it, writ petitions they can see the website whatever objection is, they can comply it, if they are not complied then they will notify it, 3 weeks' time is given, if after 3 weeks also if they didn't comply then the list is before the registrar judicial total 6 weeks are there sir, if they didn't comply after 6 weeks then the matter will be listed before the court, in urgent matter immediately after filing if everything is correct, they list it. Sometimes some cases they have to get register the office you know according to us this is the proper thing you will list it before the court they will make a submission before the court itself, so along with the office objection, the advocate submission we list before the court it is for the courts to pass the orders. That is as far as this filing is concerned and grouping and everything is very meticulous done in our High Court and they have got our android app also and cause list is prepared.

Justice Jha: For the purpose of grouping whether the grouping no. is given by the advocate while at the time of filing of the case, or the registry people will read the record and then do they group.

Participant: Yes now we have do it suggestively. That is yet to be implemented that they have to file, advocate them self-have to file, what is the subject and what are the acts they want to rely that format we have prepared sir now, now as it is now computerized it we have to put their mobile no., email no. Ya that should be adopted by all High Courts sir. So that it will be easy immediately, even at the time of filing itself the classification will be done. So as far as the listing of cases is concerned sir, as per the directions the court, usually the court gives a direction, the matter will be daily list is prepared in our High Court the list will be today's case will be listed previously evening and some judges issue an advance list also not all judges advance list for one month, but some judges issue warning list we call it as but warning list they will issue about 100 cases, separate list, daily list then warning list, that warning list cases it is warning to be just like a advocated to be

prepared so it will go on adding to the daily list until it is exhausted it will be taken and in our High Court we have got a one principal bench of Bengaluru and two bench and 31 judges 6 at darward, 9 at kalburgey and 22 are sitting in the principle bench and regarding this warning list cases some judges they give direction to put particular type of case for example one day only insurance matter, one day claimants matters like that. So as per the direction it will be listed.

Justice Jha: The question is about call about direction, such and such type of cases will be taken up on a particular day, whether the direction is given by the Chief Justice or the judge concerned.

Participant: No listing of their court matters will be as per, roster will be given by the Chief Justice subject, subject will be allotted by the Chief Justice, but listing of cases of that subject will be as per the directions of the court, that particular judge.

Justice Jha: The subject will be given by the Chief Justice.

Participant: Ya subject, roster will be prepared by the Chief Justice we will place before Chief Justice whatever subject in all category, in how many cases are there in each category year wise.

Justice Jha: But the judge concerned will not be able to select the types of cases.

Participant: No no, he will be given, sent a particular subject roster, only he has to deal with that roster that subject he will give directions how many case will be for order, hearing and final hearing, how many matters that judge will give direction according to judge instruction matter will be, if there is any urgency then they will move the court itself. So the court will order to list it on so and so date then we list it otherwise they have to move the deputy registrar for posting. So many memos will come but according to direction report we will list on the matters, otherwise sometimes to date matters also come sir. So that is one thing, and regarding computerization I think already our High Court has done a lot of computerization and website is now anybody can. Baruka first started now justice Ram manroady is there. He started computerization form Karnataka, he is now and this cause list the advocates have registered SMS, automatically SMS also goes to the advocates when the case is listed up, he will get it. In website also it is available, even SMS also he will get. Yes yes we have got the facility of SMS so if his case is listed you will get SMS. That is very convenient for the advocates. they will come to know whether there case is

listed that facility is there and of course website is there you can also but SMS is very good sir, and regarding this roster I already have stated roster is prepared by the Chief Justice. And regarding this High Court rule sir all the High Court rules are not available on the high Court websites. It is better if all the High court's put the rules on the website. And in our High courts sir we have got a comity of judges for high court rules framing of rules there is a comity of judges, then after it will go to court. And for every 2 months roster will change for the court. Because judges are going to the benches.

Justice Jha: In case of necessity the Chief Justice would have the right to do it anytime.

Participant: Yes, anytime will do usually it will be changed by, but if it is, in my opinion it is Changed by 6 months.

Justice Jha: You have 3 benches at 3 different, it has to be like that he will be ahead of time that when he is going.

Participant: But what happens sometimes subject change again the judge will come and tell you some other directions so again the staff will have to change to that pattern listing will be again, it is no uniformity, some judges prefer taking old cases, some prefer some different types of cases so some require so many case will have to be listed some direct only 50 or 60 case to be listed again it is some problem for the staff but any way, only thing is how the staff will have to be motivated that is the only difficulty, registrar judicial face difficulty.

Justice Jha: As I see just thinking out of the box, there will be e-courts, instead of going to distinct location for holding the court, then can be interactive court the court will be sitting on the principal bench and the e-court bench will be there, the lawyers at the e-court bench will be arguing to the interactive screen of the e-court bench and they will be listing to the arguments in the principal seat that can be done through video conferencing, this is possible and this is going to happen I am telling you, it is question of time that it is going to happen and tomorrow you know you will see may be after 5 years when the time, opportune time comes we may not know but the Supreme court will also have e-court bench of the Supreme Court every state capital, why not? it is only you know thinking aloud but it is going to happen because it is so very easy, supreme court will be sitting in Delhi no problem, the lawyer will be arguing in the state high court, in the e-court

bench of the supreme court in the state high court some were in the corner there will be the e-court bench of the supreme court. The bench will be interactive board will be there, the lawyers will be arguing can see the judges on the interactive, I mean the board and then can interact argue and after the end of the argument, the Supreme Court will dictate the order or judgment.

Participant: In our high court now they are preparing for tax cases, so what you said e-court. That is a paperless court.

Justice Jha: And for your information it has happened in the Gauhati high court, we have done it, I have also sat at the e-court bench of the High Court. I was in Tripura bench of the Gauhati high court the lawyers were arguing from Gauhati, lawyers were making submissions from the shillong bench of the Gauhati high court it has happened many of many of cases. We come to Mr. Pankaj gorya.

Participant: So there are two registrar one dealing with the default cases and another dealing with the constitution and listing of cases. So there is bifurcation and we have rules in our high court rules for both of them, first filing of cases is there, computerization then scrutiny is, and if there is default there are asked to remove the default message is send by SMS and display board and if they do not remove then case is listed before the registrar judicial and if the defect is removed after the 3 days the case will be listed before the court automatically, if there is no default the cases will be listed after 3 days in others matters and 5 days in bail matters, as you said sir the day of filing a declaration is taken by the petitioner that he has given the copy of the documents to the advocate general, government advocate so that when the case is listed after 5 days everything is ready, so that is the procedure, if the default is not removed after it is listed before the registrar one time is given and the case is listed before the court for common orders, bunch of cases are kept together one more time is given by the court that is on the request of the advocates and it is posted for common conditional orders and then a perimantary order is passed that if the defect is not removed within that period the case will stand dismissed so that is the procedure so far as the filing is concerned we have the android app and the internet facility is there, during the filing there is one fly sheet computerized sheet the details of that the case and all the other details are mentioned in that after the case is filed and a computer entry is made defaults are removed the case

is scanned before sending it to the court, so at present we have scanning for disposed of cases, present cases and filing cases, going together. Every page has to be scanned.

Justice Jha: Tomorrow what will happen just I will take 1 min., what will happen is this the judge will not have to be given the paper book, and can browse to the paper book by just scanning the pages in the computer, it will be available on the screen of the computer, it will be on the desk, touch the button, get the case record get the pages, get the references whatever you want, and then what can be done I was thinking the lawyer who is making submission will interface the laptop or whatever you know gadgets he have with him with the instrument of the judge of the computer of the judge, then what ever decisions you will like to point out you will just touch the button in his computer and that will be visible in the screen in the judges computer. This is possible, Delhi has done. this is the conception and that how the court rooms have been made, all interactive boards are there all interactive interconnection is there but it has to now start, it has to begin because you know the next generation of lawyers will you know they will be computer, they will be interested in doing these kind of work but the old generation may not be able so much willing that's the only thing.

Participant: After scanning we have scanned the disposed of cases, now what we are doing is certifying those documents we have one officer who is digitally signatureing that document and we will collect it to the coping section the moment the application comes, a certified copy is taken from the scan copy this is what we are doing, the listing is concerned the Chief Justice naturally he gives the roster and there is one registrar who prepare the benches and after the benches are prepared having the directions from the Chief Justice we have an entertainment management of 3 months allocation of work, the list of 3 months, we reduce it to 1 month and a weekly list is prepared and out of that weekly list a daily list is also prepared looking towards the filing of new cases, old cases or weekly a daily list is prepared, and a supplementary list is also there, these are the things which we are doing and both Bombay, we have taken from Bombay and Karnataka.

Justice Jha: You have the rules?

Participant: I don't have it, I have that in my pen drive and apart from this there is one more thing our Chief Justice have prepared the scheme of listing, means motion cases, final hearing

cases, motion hearing cases, the top of the list cases, judges who are allocated the cases they can give there the priority.

Justice Jha: This for the purpose of creation of roster.

Participant: Not the roster they are allotted the cases and in that case you have to prepare your top priorities and then the final hearing cases there are categories, from categories we can chronologically list the cases .

Justice Jha: So we come to Mr. Ilangoval, Registrar Judicial Mudurai bench. Now I was just wondering the rules relating to the functioning of the Registrar Judicial they are there two rules? Then the Appellant side rule is different and then original side rule is different. In the cause list it will you indicated with the main petition. So Madam Golmei Gaiphulshillu, registrar Manipur.

Participant: As for registrar judicial we have no registrar judicial as such, registrar general, registrar and two months back we have appointed two registrar. And for the filing and listing it is done by the joint registrar.

Justice Jha: Filing and listing and taking of roster is done by registrar general. Registrar general is in charge.

Participant: Joint registrar judicial, yes.

Justice Jha: Do you have any best practice you want to share.

Participant: Best practice, as of now whatever we are doing is under the Guwahati High Court rule.

Justice Jha: Mr. Debashish Nayak registrar judicial Orissa. E-filing in the sense that the entire document is in the record. E-filing is through email, no filing through email. But you have all the records with you. Grouping is not done at the time of filing of the case, do you not have the system of grouping the cases? Probably the system adopted by Karnataka High Court can be, ya that can be adopted. The grouping given by the lawyer is indicated in the record.

Justice Upadhyay: Before independence Kolkata High Court, four High courts were carved out, Bihar was created from Bengal and so it was a part of Bihar. Bihar and Orissa cooperative societies they have. And subsequently from Assam and Guwahati was carved out, then Jharkhand is a recent addition to that category 2001.

Justice Jha: We will come K L Bansal joint registrar judicial in coordination Punjab and Haryana.

Justice Upadhyay: You must be having the Delhi system, when you are the sign of Delhi.

Justice Jha: Now we are required to you know have a draft model rules as have seen in the agenda. As I am conceding let us prepare a draft model rules, can we do like this that we will divide our self in 3 groups 6, 6, and 5. (His name was not in the list, he was added on the spot) Mr. Narender Datt Registrar Judicial of Uttrakhand High Court.

Participant: We have a set of 11 judges as of working 6 judges including Chief Justice, present Chief Justice we have one post of registrar judicial and since 2010 I am working as a registrar judicial in High court Uttrakhand. This will be my 3rd Chief Justice were I am working as a registrar judicial, in the filing we have 4 counters, 2 for main cases and 2 for miscellaneous applications. Main cases no. is given different, miscellaneous cases no. is given different. We have a new system that we don't input in disposal the miscellaneous applications and we don't input pendency also, when you give the figure to Supreme Court we give the case of main cases only. When the case is filed the categorization is there and according to the categorization a no. is given to the particular case, and another unique feature of the Uttrakhand High Court is that filing is from 10:00 to 01:50 there after we don't take any filing because the computer from the main server gets disconnected. So after 01:50 there can be no filing. There after the filing of all the cases, application and main cases go to the staff removal, they see the defects, if the defects are removal then there is a separate counter. They will tell about the defects to the parties or to the lawyer or whoever comes so this is the defect in your case. the participants are given time to remove the defects till 03:30, if the defect is not, the cases is listed for tomorrow if not then it will be posted on the 3rd day. So this is how we manage the Cause list so that we can provide the cause list. Second thing is that if the defects is not removed the matter is listed before the registrar

judiciary. We don't give more than 3 chances. If the defect is removed the case is listed before the court if the defect is not removed then we list it before the court as a defected. Suppose registrar has got to a certain defect and the lawyer has also raised objection to that defect so we don't put that case in the list, we list that case before the court to recognize the issue. Then as registrar judicial I am also looking after the Public Interest Litigation are brought to me and I prepare a note and place it before the honorable chief Justice and after taking his approval that PIL is registered as PIL. I am also defending the High court in the legal matters and in the supreme court all the filed by registrar judicial were ever the cases are against the High Court.

Justice Jha: Now we are complete, everyone has completed, now as I have already indicated that we are required to prepare a draft rule and then there after we will have a discussion on the draft rule also, what is draft rule? to do that I propose like this that let us divide our self in a 3 groups alright, 3 groups will sit together, separately and indicate the rules in terms of their own discussion, after the 3 drafts are prepared we will have a discussion, we will go through the draft and have a discussion on the rules prepared and come to a common finding and we will assist the groups to come to a common finding both of us will assist. So to do that we have how many members we have total? 17, so in that case we decide into 6, 6 12 plus 5 right, so let us do it serial. Alright, let us do like this absolutely no problem. Let us have the groups, please, Ruchi have you noted down the names of the group. Will you please note down.

Group A

1. Karnataka
2. Madhya Pradesh
3. Bombay
4. Chhattisgarh
5. Gujarat

Group B

1. Karnataka
2. Andra Pradesh
3. Tamil Nadu
4. Jammu
5. Kashmir

Group C

1. Allahabad
2. Uttrakhand
3. Guwahati
4. Manipur
5. Punjab
6. Haryana
7. Orissa
8. Jharkhand

Justice Jha: So paper book Jo bhi he available, Jo jitni bhi rules hen, make it available to the groups, all the groups. nahi rules unkey pass hen, all of them are carrying there rules. Our time starts now, we will have the lunch and then we will definitely.

SESSION 7

Justice Jha: We have already selected the groups, do the exercise and if you need help if required, she is there, she has created spaces for all three groups, in 3 different rooms, you can access internet you can access anything you like and then you also get the assistance of typist or whatever it is you got.

SESSION 8

Justice Jha: So we have drafted the model rules, there are 3 model rules as of now we will discuss and not today at least, and leave free for computer class or whatever you have thereafter. We will consolidate this 3 draft model rules tomorrow and then prepare one model draft rule finally and at the time of consolidation what I am thinking is we will not exclude anything whatever, groups have appeared. It will be in addition to what is there, if we select group 1 the draft model also group 1 even if addition is made by group 2 then we added it there in the model rules, nothing will be excluded. We will prepare it like that. So Ruchi you have got all the 3 draft. Alright you get the 3rd one and then prepare it and then we will do it tomorrow. In one sitting in one hour we will be able to finish it. We will have further discussion on the, I mean

Justice Upadhyay: What to be corp-orated, what to be included, what to be.

Justice Jha: If there is anything.

Justice Upadhyay: If there is any requirement.

Justice Jha: Any addition, alteration anything of that kind. And then if time permits and then if you also permit there is a listing policy of the High Court of Madhya Pradesh, we will like to see the presentation if you are ready. Tomorrow we will do it, Alright, we will find some time for this, we will see how they have done it and if you can incorporate whatever you have done in Madhya Pradesh. And one particular what I fell,

Justice Upadhyay: Role of registration is is registrar vigilant IT, inspection administration, Judicial general, registrar general, district judiciary staff High Court judges. Do these matters required to be discussed?

Justice Jha: Yes we will do it tomorrow, brief we will do it.

Justice Upadhyay: It will be better, take up the formulation of the draft, then we will, we will try to you know finish.

Justice Jha: But over and above, you must keep yourself you know informed about the developments that's happening in other High Courts in the country. This is very very important. And if you, you know since you have met here, all of you are here, if you keep this relationship, even after you reach your house station, you so very busy in your place, even thereafter if you continue to talk to each other, interact with each other. When you will be interacting with each other with telephone, you will be asking for something which is not happening in your High Court, you may defiantly ask your another part of the country, how you are doing it, the Supreme Court have passed such and such order, there is a direction like this. You have implemented like this, how you have done it? Or you are you know the loss what to do? There is a direction by the Supreme Court, you can definitely pick up the telephone and talk to your friend in others High Court. So this relationship you could can carry on. At the end of the day probably you would all be given a list of names, email addresses, and your telephone no. also. And if possible interact with each other take photographs of each other. The best way of, so you will remember everyone. And then you can continuously keep on having you know some kind of interaction over telephone. What's app is there, you can be connected to each other via social media now as you call it now days. This is very good. But if a district judge it will be very difficult to be in the social media. Probably not suggestible.

Justice Upadhyay: In Allahabad there is writs of High Courts judges myself included there. So we regularly say namaskar to each other, send some vital information. Of course taking of photograph would not be necessary. If you have the necessity of doing any details of any case, see in case of accident. They could ring at 7738, you can give the no. you can send the message. You could send the registered no. of the vehicle, the registration no. of the vehicle at 7738299899 and you will immediately get the whole detail.

Justice Jha: There could be some application on that.

Justice Upadhyay: A yes on this no. an application is there and the no. you send it SMS you will be. You message the vehicles registration no. on this no. and you get the details. Or if you are traveling in the railways and if you have any problem security or other problems then again there is a no. I share that no. also. 8121281212 you give a message if you are feeling that something is wrong, during your traveling in your compartment, security wise or anything you give some message and immediately within 3-4 minutes. So shall we say well for the day, any more discussion, you will probably go for computer and we will assemble tomorrow at 10:00 o'clock. Alright, you come with the draft rules, prepare it.

SESSION 9

Justice Jha: We are in the last session, today how many sessions do us have. 3 sessions, right. So session 9 relates to you know the role of registrar judicial Vis a vis. registrar vigilance, etc. Now you have already submitted the draft rules that's what we were discussing yesterday preparing a draft rule with in a span of 2 hours discussal is not possible, given to me I would say like that, concept of drafting a rule in a conference or a discussion probably should not be encouraged this is my view. But there will probably not differ with me and then since we have already drafted a rule we will try to discuss all the rules, alright. But before that I will definitely say that some of things what I know from my own personal experience, over and above I will also like you to say your experience that will help the other High Court to know about what is happening in your high court, how you are doing things? I will definitely trigger those things and then defiantly we will ref to those and automatically your best thing will come out I will try to do that, and know what I see these, there was a time when registrar judicial happen to be the person in authority there was no post of registrar general, when I walked in the registry I had a very very long stint in the registry, I joined the judicial officer and I joined the registry in the year 93 and I was there for about 6 years in the registry, and that to the post of registrar judicial and then after subsequently I was posted as a registrar general in the High Court for 4 years and I was in the law secretary also I mean the state government as a law of Secretary for 2 years before my elevation as a judicial officer I have you know travel around all the places that is possible, My experience you know the everything on the judicial side of the High Court is totally depended on the registrar judicial of the high court,

given to me I would say like that it is in between the Chief justice in the registrar judicial and his subordinate, but on the judicial side the high court depends upon how the registrar judicial functions, he has to regulate the time he has to regulate the cases how the cases will be listed, he is also required to be watchful how things are happening in the courts with all respect is very secret of what we are also required to watch how the judges are functioning, I am telling you in a very low voice, am I right. Absolutely you are required to look into the functioning of the judges and at some point of time, sometimes you know the integrity of the judge is also your consideration you may have to sometimes report to your Chief justice, this is what I am observing or this is what is the report to me how do you tell the subject and then of late you have seen it is not that I mean before the Supreme Court has also on all judicial matters, the supreme court has started directing the registrar judicial to do this, to do that not to do that on the judicial side mostly most of the orders registrar general, earlier it was registrar judicial but registrar judicial happen to be the administrative officer, like the registrar general there was no post of registrar general at that time, you know registrar judicial everywhere, in some of the places senior district judge if he is holding the post of registrar judicial, he use to remain as the senior judge I mean person of the registry but registrar judicial happen to be the person in command, and then basically there are certain things which some of the High Courts are doing very very unique things and that has to be you know known to other High Courts, this is my feeling like the way Madhya Pradesh High Court is doing, that would defiantly if you are ready you will defiantly you know see the presentation given by you on that we will defiantly find something new in that, Bombay High Court is having something they want to defiantly tell but now What I will do is this I will precisely ask you a few questions which probably would one after another that will give us the best thing out that is happening in your high court so that others may come to know about it and also may like to replicate in there high court so that way it will be very useful so like the way I was telling you. One question was posed to you in that performa response I have seen that means in one function exclusive to your High Court which you feel should be extended in all other high courts can you reflect on that particular one thing you have written in the response. All of you have reacted to this question, Alright. So can we just get the response so that we come to know each other will come to know what is the that exclusive thing alright we can start from any person who will volunteer first then after we will continue to have response from all of you alright, please. That exclusive thing.

Participant: After the roster the cases for the week is taken, the no. of cases and distribute the cases to the judges through computers so the judges they they don't know what cases they have to decide next week, but according to the roster that distribution is made.

Justice Jha: The roster is given to the judges or not?

Participant: No no, the roster is given by the chief justice to the registry.

Justice Jha: It's not given to the judges?

Participant: It is given they come to know about it.

Justice Jha: Immediately after the publication the copy of the roster is given to the judges, right? Then they come to know that, these are the types of cases which will be listed in there courts in the next week, how many I mean the roster is given for how many weeks.

Participant: One week, two weeks.

Justice Jha: Probably it is the same, almost similar. 8 weeks, alright. 3 months' time together. 15 days, Guwahati High court 1 week that's it, anyway but the question is not the that, the roster is given after the roster is given, they are put in the basket as you say that the judges are and the cases are selected by the?

Participant: There are no. of cases, the no. of cases and the no. of judges were divide by a ratio. Suppose there are 4 benches and there are 30 cases.

Justice Jha: Then you choose is in terms of the roster am I right? In terms of the roster say civil rule, a writ petition alright, the judge which is interested to deal with the writ petition will get all the writ petition from the basket.

Participant: Every one will get different cases so they will not know which case they will get from the writ petition.

Participant: There are 13 significant benches.

Participant: 13 single benches.

Participant: 14 single benches they don't know.

Justice Jha: No no no I was just, my question is that you know a judge who is taking out, Dr. Akhtar one min. I just pose a question to you, I was just thinking that the judge who is interested in a particular type of cases will be given that particular type of cases, now as you have said now any type of case can be given to him from the basket is it like that. He can be given also criminal cases, he can be given a writ petition can be given a civil rule, is it like that?

Participant: No, not like that. Writ petition is distributed to 4 benches, civil, criminal distributed to other benches.

Justice Jha: Alright, this we have had. Any other thing you have.

Participant: I would like to say that suppose in our high Court service matter is given, final hearing and admissions are categorized two benches, one is hearing final matters other is hearing admission matters. The subject is given to a judge then that cases will go to that judge only and no other judge.

Justice Jha: Of course that will, that system is prevalent in Guwahati High Court also I think because that gives, this is important because other High Courts are following this or not I don't know but the question is this will you know boost the disposal of cases positively, because the judge will know, what are the cases you will be dealing with, for next 2 months he will be dealing with the same kind of cases, the decisions and the relevant decisions on the subject will be through on his mind, he will be able to pick up the thing and do immediately dispose of the case immediately. Of course for this the Chief Justice has to take the policy decision and the nobody else can do this, they cannot you know otherwise even if the roster is given for a week probably in Guwahati High Court as I understand it is for a period of 2 months to 3 months the same judge will take up the same kind of cases. In chronologically. Every Wednesday whole pending matters are listed.

Participant: In our high court it's Thursday.

Participant: In our High Court its 2 days Tuesday and Thursday. Till 2010 we had till Tuesday, and after 2010 we had it from Thursday.

Justice Jha: What is Delhi doing? Delhi is not hare. Punjab and Haryana. So any other reaction about that special thing that you are doing in your high court which others are not doing. It's for orders old pending. Of the same category. First 5 old pending cases will be there. Alright this estimate is very good. And usually such cases are listed and disposed of, some of the cases may be disposed of, usually those cases are picked out by the registry of the in for such matters, most of the matters are infructures in the high courts, so that can be picked up and listed further the matter can be disposed of. Any other reaction, any other thing, Bombay High Court, same thing. Right, Allahabad. Any way I will put other thing. How do you maintain timely listing of cases, because the courts usually what they do they will fix a date alright and ask the registry to list it on a particular day. How do you do? How do you maintain it? Do you maintain it by computer or do you maintain it manually and order the checks and balances you have. Your preparation of the cause list is done by manually or is it done.

Participant: Manually.

Justice Jha: Probably in most of the high courts the caused list have prepared by the computer. Most of the high courts are probably doing automatically. Data is there. How do you do it let us know. How you are doing? Ya the information that has to be there in the computer.

Participant: That we do that, so all the cases are updated in the computer. I have directions to prepare the cause list, generate it from the computer by 12; 00 o'clock. What are the directions complied or not complied, any changes that immediately complied with sending information like that.

Justice Jha: What about the list that is required to be prepared for those cases which are mention by the lawyers. Usually how many cases are listed in one court? 100, almost every court it is like that. That is a difference depending upon judges, judges may say that alright you list me 120 cases. In Guwahati High Court bail matters are 120-150 bail matters are listed. Whether sending SMS is there. This happening in all the High Courts, is it happening in all the High courts? It should happen probably, this is one of the best system because once you know the cases is listed that information

has to go to the lawyer immediately be SMS that you case is discharged. That by a notification by the High Court, may be requested to you know get the software loaded in his i mean telephone. Cause list of course in some of the High courts is not free of cost. Lawyer is required to pay something for the cause list. Pentene of an amount Rs. 600/- Of course in your high court SMS service is free of cost. Patna it is free. Guwahati high court you have introduced this system.

Justice Upadhyay: In Patna it is free.

Justice Jha: Alright Jammu and Kashmir. Manipur, Punjab and Haryana. Now about categorizing, how do you do it? Categorizing. This is very important. Because you know by categorizing cases you can bunch them you can dispose of them together once case is disposed of together with all those cases having the same substantial question of law or the same point of law can be disposed of together, this is happening in all the high courts? How do you do it? Because the there has to be a effective way of doing things. we are doing it in our own way what guide lines have been given by the Chief Justice or whatever is available with us was been followed by earlier officers we are following them but how do you do it? Discuss it one after another so that others can learn. The question is nomenclature would it give everything I think not because the first categorization was done in our high court I was there and then you know my experience is this, by giving nomenclature you bring them together yes, but you cannot club them together for a common disposal. You need to scan the substantial question of law and find out whether you have the same substantial question of law or not. Only then probably it is disposed of. Right, so this is my experience because being the Supreme Court also were taken Justice Seema was there with us, Seema has retired? Alright, so Mrs. Seema was there with me when we were deputed to the supreme court for that particular purpose just to extract the substantial question of law in all the cases during that period 97 i am talking about and then this is my experience, How do you do it?

Participant: In our high court it is done manually it is scrutiny bench, most of the persons working there, then after going through file only then they categorize it, suppose it is a service matter then they will be service, again in service they will find out whether it is a case of dismissal matter, promotion matter, whether he is seeking retrenchment, pension matters, so they will make some classification, like that.

Justice Jha: General classification.

Participant: Ya, in service cases writ petition have again classification, in that.

Justice Jha: But that could be helpful only in allocating the business to the different benches. But the question is not that, how could you club the cases getting to hear disposal to a 100 cases, disposed at what common matter, so as it appears to have particularly done, if there is reference to any particular order in several petitions by identifying that particular order in feeding in the computer you get the same cases clubed, similarly when there is a judgement of any lower court by the no. of the case or by the date of the judgmental order you identify the cases and club them together, similarly if 200 employees have been affected by a common order of dismissal and then that common order is identified by the computer, feed in the computer and the computer points out that this petition relates to that petition, that petition doesn't and you have a chain of petitions on your screen and then you take out the printout and then you list it before the appropriate bench, this probably is the practice at prevailing everywhere, say for in Allahabad were the filing id in 1000s per day it will be very difficult for any person to manually scan through the pages of the petitions and then, so this is happening every were you electronically generate the connected cases on account of common order of affecting petitioners and then you list the petitioners to whether out cases together, this is happening.

Participant: Cases are searched by given no.

Justice Jha: Every high court has its own peculiarity in functioning on account of the peculiar circumstances prevailing in the states. And this is the reason that there are verity of rules of working of the high courts. It is not that they are different because they wanted to be different, no, there peculiarities were such that require them compelled them to be different in charting out the course of action in setting down the rules so this is the difficulty which to me this is the difficulty that suggesting a common rule of business for the registrar judicial there are two reasons the first reason is that there is a supreme court judgement pointed out yesterday 1998 supreme court case which have finally laid down the parameters of the duties if the registrar judicial under the supervision of the Chief justice you cannot tinker with that judgment by framing a rule no. 1, no. 2 peculiarity of every state in its geographical or other circumstances has required the framing of

the rules specifically for functioning of that particular court and then if there has been any further requirement of any problem which came up in course of business then you have without there been any rule applied your wisdom the judges or the honorable Chief Justice or the staff, the support staff like the registry as per their wisdom they have charted out a solution, have found out the solution and that has been set down as precedents so precedents pass becomes part of your business rules also so this is very difficult as such. Justice Upadhyay to suggest a common rule for all high courts if you suggest a rule of business like say Bombay to Allahabad the Chief Justice both the Madhya Pradesh and Allahabad are of Bombay judges. One difficulty which you might have confronted the Chief Justices generally there are very few exceptions, I have seen this happening in Justice Lohra otherwise as Justice P K Mishra also. Deepak Mishra also, but the last two Chief Justices which we could find in Patna they were simply not ready to look to the Patna rules this happens every where the arbitrariness of being the Chief Justice most often creates difficulties I actually very fair in it in considering this. I am not critical of those Chief Justices, they might have their own reasons to behave like that way but at least we should have the patience of looking to the rules, one Chief Justice Patna High court rules suggest every petition Supreme court rules says every petition has to be accompanied by a power duly provided and signed by an advocate, one Chief Justice of Patna recently passed a judicial order in contravention of the rules of his court, you know a vakalatnama is not necessary, now the Patna high court is busy in correcting all those decisions he did many things but so, I am very forthright I beg pardon of all of you and all persons who would be hearing me any were that the peculiarity of the functioning of the high courts are on account of the peculiarity of the states the requirement of the citizen, the justice has to cater to the customers of justice and that need of justice depends upon the social and other conditions of different states so we could not set down a particular set of rules suggestive of this is for the Honorable courts to decide whether they should have common rules of business, suggesting this in this seminar this is not appear to me viable reasonable and practical as well. This is my view. But question is that we can defiantly discuss issues. And we can very well discuss.

Justice Upadhyay: So we get sharing experiences.

Justice Jha: That's most important because we can share experience and that sharing of experience will give us more information about what is happening elsewhere and this is important.

Participant: At least we can have minimum of the standards.

Justice Jha: At least what Madhya Pradesh high court is doing, Jammu and Kashmir high court will be able to adopt it, this can be very well possible, but first of all the Jammu and Kashmir high court has to know what is happening in Madhya Pradesh high Court and these are the some of the occasions were probably we can discuss and know about each other.

Justice Upadhyay: Yes.

Justice Jha: This is most important I am trying to get best out of you.

Justice Upadhyay: That unless the high court feels that the effects of its rule has worn out, how should it change its rule. Unless the efficacy of the rule is shown to have worn out, shouldn't the high court change its rule? The high court has been functioning since say 50 years 60 years many high courts, your high courts more than 100 years, her high court's 150 years, my high court more than 100 years, they have been functioning with the same set of rules affecatiuousness of the rules is one grey area were the full court of that particular court has to be satisfied simply for adding a set of rule won't be convincing them to even look to that.

Participant: I should not be mistaken because yesterday night when I was in dinner with Judge Director Obin roy, and same thing what you all just told, he just ask the subject of this conference rules regarding High Court what is that? According to him it's not rules of the high court but it is just the uniformly functioning of the register judicial, that's what they wanted.

Justice Jha: But you know that, that ought to have reflected in the agenda and we discussed about it.

Participant: Expressed apprehension at how we can suggest rules to all the high court's even Supreme Court how we can, what is that.

Justice Jha: To frame rules you need to have a comity.

Justice Upadhyay: Yes every high court has a comity you all know, we function under the committees, through the committees.

Justice Jha: If any change is through the comity and comity coming to the full court, resolutions and recommendations coming to the full court if had to modify whatever modification approval is alright. we frame the new and send it for publication, for taking notice of this framing of rules governor is acquainted of the framing of rules under article 309 this is framed and they are officially published in gazette. That we can do it in a matter of minutes, that's very easy almost similar kind of you know rule. Initially trigger my mind was actually on that, and Dr. Akhtar also reacted on that, yes. At the most we can have the functions. What are the functions which can be allocated to registrar judicial of the high court? that can be extracted within 5 minute, come on things we can just extract and give it, almost all the registry in the high court, pick up any one any of the high court's then set the rules, thus the rule I mean the this the kind of functions the registrar judicial is working and doing in the high court if such kind of function is seen in the high court, almost in all the high court's same thing is happening there is no difference he is the master of the judicial side of the high court that much.

Justice Upadhyay: It is a very delicate business, that is always happening under a sword, because of any judge when he receives the roster then he is the master of the roster and I have not behaved like that ever, in Allahabad high court I had to do some excises undertake some exorcises because I have already shared with all of you the state of filing there, so I had to stay in the filing as per the rules, I didn't do anything against the rules why should I, how can I get passes the rules and how could I do anything against the wisdom of the Chief Justice and i am glad and happy that the Allahabad registry is still hearing to those judicial orders. peheley meney unhey bulay ke i try to impress upon them and when they didn't then I passes some orders. And the advocates were not ready that i had to pass some orders, so as to put then under judicial hammer that you are under the hammer you behave in filing this way, otherwise no judge, but maximun yehi karega ki iskey case ko aaj kun nahi lagaya? But then you explain that this is the expectancy of the Chief justice wanted this to be taken up first. So judges do not really object to the Chief justices wisdom also. This is the most delicate most important business you people discharge in the high court.

Justice Jha: Yes this in fact if it is that if it is the requirement of the academy that distribution of business to the registrar judicial is required to be prepared, a common list be prepared then that can very well do it. Ruchi is capable enough to do that. alright, you prepare the list and give it to

us, this is very easy, see its all the registrar judicial are in charge of the judicial side of the high court whatever is required to be carried out on the judicial side as an administrative officer that is judicial is required to operate. Nobody else would wait.

Justice Upadhyay: Registrar judicial is the sub line post, it is the sub line thing of post. Registrar general registrar general alright, but he directly acts and behave matlab perform under the chief justice who has who stands on a different pedestal then administrative and judicial matters so it is a sub line post, no one could touch it no one could tinker with your functions except the Chief Justice. You are the link in between the litigant and the court and bar as well. The bar is in hurricane, it is protesting why this? They come to you. And then you absorb the sock and the Chief justice is safe that way. If you ought been there only the Chief Justice's door are there to be knocked.

Justice Jha: And there are time you know when the registrar judicial has to face some troubles also, he is the most uncomfortable man sometimes. And not only because of the fact that he has listed a case or he has not listed is the case, when the listing of the case is missed out then he called to the court sometimes. He had to explain to the court why the case cannot be listed.

Justice Upadhyay: To be fair, the judges should not behave that way, they should not call the judicial officers. He could call in the chambers, he could call you and he can impress upon you, ok this and this.

Justice Jha: I could tell you my experience I throughout sat in division bench ab kya bataun. deepak mishra has started this trouble for me he was told by someone, he is the only judge who can perform dispose of division bench matters in criminal side and only 3 4 5 judges was below me in seniority i was put to head the division bench. That continued when i was sifted to Allahabad, division bench through 1 month I sat in the bail bench. In the next by the second in Patna the division bench 10:30 is the sitting time there Allahabad 10:00. My division bench is on the list and my bench partner he is not coming I am sitting in the chambers where is he you cannot ask the judge to come and specially he is sitting in the another judge now he has retired, he use to direct registrar judicial to create a division bench with himself and justice Sman ula at 09:30 ab he use to look to it, ab advocates they have jobs they have to come and they use to sit in 11:00 and I use

to sit till 12:00 in my chambers without any I called the registrar general I call the registrar judicial and told them ki alright I don't have any objection to siting of a division bench but if i am jobless then you create a separate list for me singly so that I could utilize my time and when the honorable comes then I form the division bench. Then I issued a show cause to the court, explained yes let the court explained I was virtually asking the chief justice. Ki how I am made to sit ideal in mu chambers the Chief justice was in trouble he called me up I myself feel in trouble by this man he creates a bench without my knowledge at 09:30. Without chief justice consent. Ab many judges, may not be knowing, the judges are human being. We also talk in jest, ya sir apney bench ko tudva diya. They were amused by the. Ye sab hota he kabhi kabhi this happens. Hey you cannot constitute the bench without the Chief Justice consent. Even if I ask you yes tide up day you go to every judge ask them ki sir these are the tied up matters they are the no. research for how much time you will be sitting singly, for the whole day half day, two hours the judge takes, looks to the list yes don't form my tied up let me continue with this same subject matter because the no. of cases is very few. The judges are also reasonable they know what they could do. No there are occasions as my brother has pointed out some of the judges may also call for you explanation why did you list this case, why did you not list that case before me. This is always discouraged by the Supreme Court there are decisions the judge who wrote this particular note and call for an explanation from the registrar judicial was repermined this is gone area.

Justice Upadhyay: Because he is encroaching upon the jurisdiction of the Chief Justice.

Justice Jha: And another incident I am telling you is my personal experience I was then registrar general everyone has retired, the Chief Justice has retired the judges have retired, that's why I am telling you the story but I have not name the judges I was then registrar general one because Guwhati high court is a high court well there are many benches and then the judges are sitting here in Guwhati will again sit in another court at Arunachal , probably it was in for them, or Agarwala anywhere they can sit next week. One of the judges was taking up a type of cases and next week he was supposed to go to another bench, not in the principal seat, so the honorable judge what he did he passed an order list all these cases 1, 2, 3, 4, 5, 6, at change of place. Next week before me can you get me, now Chief Justice gets the information this has happened he is exceeding the jurisdiction because the Chief justice is the master of the roster he has to give you the roster what type of cases which cases you will be taking up but instead of that the judge concern

passed the order in this case he calls to list all these cases which are judge in the principal seat transfer them to all of them to another bench and list them before me, the Chief Justice was very annoyed obviously what is the reasons behind listing of such cases is also not known, many things may come so Chief Justice go up to the petition file for because the case has been already transferred by a judicial order, Judge has already transferd the cases to another bench by a judicial order, now all these cases are required to be called back the order passed by the single bench has to be stayed otherwise the cases would be taken to another bench and it will be disposed out, Chief Justice doesn't want to happen like that so he got the petition file through the registrar judicial , poor registrar has to file the case, and then the case is accordingly they will be taken up by the bench and the cases were stayed, Oder out to be transferred now all the cases were stayed nd cases were civil bench matters were disposed of. \But some or other you know the honorable judge picked up the disposal of case. Passing the order and step a content against the registrar general and the registrar judicial this is how it happens you know. Everything was you know, but such a thing may also happen you have to face it. These are things we can confide among our self, so these are situations. And then I was again thinking regarding the categorizing this is very important as regards a disposal of cases categorization and grouping of cases, this is one of the methods by adopting which we will be able to dispose of cases in a bunch you can join so many cases together because no. of cases are increasing in the High Court. The method we are now adopting as I see, group particular type of cases, cases relating to agriculture cases relating to forest group in one category that is only for the purpose of listing the cases before a particular bench but that will not give any kind of you know information for clubing the case for disposal. This should be taken up by a particular judge may be there are group of judges like 9 10 who are taking up those kind of matters only sitting on the court taking up those cases but they will not be able to club unless we devise a method or mechanism by which we will be able to extract the substantial question of law, only the substantial question of law would be able to club the cases together for the purpose of listing at one go. Has any high court started doing like that clubing the substantial question of law together?

Justice Upadhyay: Subject wise grouping is there in Patna.

Justice Jha: Can one thing be done just ponder upon the subject I have some kind of solution to the problem I will defiantly diverse it to you it is for you to. Almost all the High Courts are at least

grouping cases, one thing can be done the substantial question of law we can ask the lawyer who so ever files the case, at the time of filing of the case he has to tell the substantial question of law.

Justice Upadhyay: They should put down the substantial question of law, or the provision of law which could be deciding the petition.

Justice Jha: Then there has to be group of judicial officers we will scrutinize those substantial question of law that you can device among yourself out of 6 7 judicial officer who are working in the high court they can be made to work on the subject, but these are the substantial question of law, now today you don't have to give the case file you simply have to pick out the substantial question of law substantial question of law whatever is given by the lawyer has to be first of all fared ion the computer at the time of filing the person who is taking up the filing has to be instructed that you will definitely filling the column defilement for substantial question of law till that probably we will not have any fill for the substantial question of law in the format that we have for the purpose of filing in the computer at the time of filing there is a format in the computer for filling up the field, for the registration of the case whether the substantial question of law field is there I don't know. So the field has to be created. Synopses is all right, synopses is after all facts that is also required. Facts are important. But my question is that now you need to simplify whole thing if you put it in the computer that the substantial question of law is this then the judicial officer will be sitting in the corner of one of the rooms he will be able to see everything on the computer and you will be able to match the substantial question of law. Did you get me? That will make it easier you can club the cases just go on marking cases one after another which are similar type of cases. The person who is sitting in the computer the substantial question of law will have to be obtained from the lawyer at the time of the filing of the case the lawyer has to be instructed that together with the synopses because you have on your instruction the lawyer is now days submitting synopses of the case, earlier it was not like that the lawyer is submitting the synopses and then you are also you can also ask the lawyer that whatever the synopses you also extract the substantial question of law or the point of law which you are want to be decided by the court. In most of the cases you will get the substantial question of law.

Justice Upadhyay: There is one experience of mine Justice B N Agarwal was the acting Chief Justice of the Patna High Court then, I was the member secretary incharge, I was brought to establish the legal cells, one day Justice gave me a call ki would you be meeting justice Agarwal in his chambers, yes, I went in the high court then both the honorable judges told me to sit in the high court for 3-5 days and they put 500 quite some no. of criminal division petitions and they created a format no. and what question of law or what citation of law could be deciding the petition I was fresh from the court so everything was fresh in my mind so I use to sit and 3 4 high court staff were given to me and I only use to review the grounds of revision petition and tell them ki yes put down this judgment we will decide this case and in one day 500 or 600 criminal division petition were decided. So this could also happen ki if you in Allahabad they do Classification of cases by calling judicial officer, so if you have some judicial officials you could call them who know law.

Justice Jha: Yes defiantly otherwise it is very difficult if you want someone to bring to Hyderabad.

Justice Upadhyay: For his personal devince then it is not liable. Someone who know law who could take out the real provision or any judgment which could be deciding the petition then he may in a form put down that judgment or a provision of law or any particular judgment which are decided the similar facts case that could be in a minute that the bench will be deciding the petition. Put a notice in your cause list in filing your petitioned memos or whatever, so in such and such date you please put down a particular paragraph in your memo or petition point it out the substantial question of law and any decision which could be deciding your case, agar ye app notice dey, if you give a notice simple notice in your cause list with the occurrence of the honorable Chief Justice, then you will be alliciting the correct assistance from the maybe he is citing a wrong judgment, that will be exposed at least the judge could be finding out, might be the facts are different but principals are same so things will help a lot in disposal of case, so give a simple I could do if i would have been there I could do this exercise only obtain an order from the honorable the Chief justice and put a notice on the first page or on the next page or on the cause list of the bench which is hearing the particular matter which could be decided on substantial question of law so this could be helping a lot.

Justice Jha: We will reassemble after half an hour. And in the meantime can we do one thing if there be so if the academy is desirous of having the list of subject which the registrar judicial should take up the distribution of business then they can extract, it's almost all the same in for every registrar judicial pick up anyone. She can do one thing she can extract. We can discuss the issue one after another. Just show me and show us the page no. we will look into it after the tea reces, then we come and reassemble and we well sort it out for you.

SESSION 10

Justice Jha: So, we will see your presentation if you are ready. We will wrap up everything after the presentation. Because most of you I Have told leaving little early.

Justice Upadhyay: Flights are there.

Participant: Listing policy, delay in uncertainty, Proposal of listing of cases manually done, allocation of work was made to the honorable Judge on the bases of case wise classification proposals given in freshly for file cases remain pending for months old cases couldn't find place, final hearing cases remain pending for years, earlier bail application cases were first admitted for final hearing and then cases case diary was called, earlier listing scheme didn't provide for prioritization, imbalance work flow lack of standard completion time, introduction of new listing policy with effect from 6th of December 13, I started with that and the last was 9/1/15, last year we completed the scheme and that's how it is coming in the annual report of this year, listing policy of any case from the date of his filing till its disposal that is CMIS scheme, any one requiring this is available on net. So we prepare cause list at Jabalpur for Gwalior and Indore also this a centralized system and kiosk in the High court and District Court also there you can get the information the system has stake holders by providing speedy access to required information auto generated computer software systems are insurance listing of cases chronological that's what I was telling it is an auto generated system once it is updated the cases are in the basket they are picked up. Admission matters the most important and unique feature scheme is that every pre admission case has a date every case has a date earlier there use to be proposals and may be listed may not be listed Patna they have it update advance daily list for entire next week, and the cause

list is prepared on the bases of operation through automatized computer program priority wise separate heads of motion hearing mandatory category is also there and the dates are allotted are notified on the official website and communicated to the stake holders via SMS_ and emails they have their emails and in the computer sheets so and the mobile no.s in the vakalatnama also so we send them.

Justice Jha: The question is that every admission cases date, date is fixed for every admission case?

Participant: Tentative date is fixed, the moment the cases is.

Justice Jha: How do you do it? How do you fix the dates? It is fixed by registry.

Participant: Ya, it is computer, computer dated, just I am telling you, the moment the case is filed it is send for admission, 3rd day all cases are listed for the 3rd day and bail matters on the 5th day, that is computer generated. All pre admission cases they are done like that, 3rd day and 5th day. Automatically. Bail cases 5th day from the day of filing or removal of defects, if there is any defect.

Justice Jha: How do you file this procedure because the case is automatically listed?

Participant: So what happens is I am just telling you, the moment case is filed in the filing section it is sent for entries and then scrutiny is done and that it goes to default if the case is fit without any default the case is listed, 3rd day all the cases, 5th day the bail matters.

Justice Jha: Bail application is listed to file today, and you will list it after 5 days with no defects.

Participant: Ya, because we have to call the case diaries also.

Justice Jha: This process is not lengthy.

Participant: Because the distance is, sometime the distance which matters. They are 300 - 400 kms distant places from where the case diary has to be brought. But how will you decide it if you

don't have the case diary. Sp he can have a mention memo. Ya it is normally it is necessary, unless and until there are other documents then you have to have a, then you have a mention memo.

Justice Jha: Bail application for that you need application, if you list it after 5 days means the person is already.

Participant: Yes, that's 438 you are talking about 438, yes. That you know in our filing program there is a advance copy to the advocate general, so the advance copy is there, so that sort of arrangement is always there if the advance copy is there. What is the time period in your High Court? Next day we don't have.

Participant: This is administrative process.

Participant: Ya this is, the fresh admission cases bail matters,

Participant: This is administrative file, this is administrative rule, how can we make administrative.

Participant: No this is administrative, this is the scheme which we have started now.

Participant: The chief has power to advocate the subject defiantly you can do that, No problem How can the registry put the date like this.

Participant: This is not, this is the scheme of the Chief Justice, and this is not the scheme of registry. No this is the scheme prepared by this is approved by the full court, no it's not that.

Justice Jha: You are showing your procedure, we are trying to understand it and the desire is, if it is possible we will adopt it in our High Court, question is that. That's why we are discussing it. There will be no problem, like for instance. Now question is only this what is actually troubled me is this, entry submitted of bail application, the person have filed and his urgent desire would be let the entering order be passed, some kind of interim order be passed so that I get relief, now the case dairy be called for after 5 days, 6th day, 7th day there is no problem but immediately what relief you would like to have? That he should not be arrested.

Participant: Then there is always a mention memo in that case. There is also always a mention memo.

Justice Jha: He can mention before the court.

Participant: The mention memo is there immediately it is listed before the court, there is no problem.

Participant: The memo has to be filed in all the cases?

Participant: If that so required they will have to do it. Major heads for listing motion hearing pre admission cases are, common orders are those orders which are commonly passed at common condition is one state after the common orders, common conditional orders are the parameters orders after which the cases need not to be send to referred to the bench for disposal.

Justice Jha: If any urgent order is required he can go and approach the court and he can mention and then the case can be distant.

Participant: Mention memo, yes. And in mention memo also we have a report registrars report were we give a tentative date also computer tentative date and if the agree to the computer date then it is a registrar authenticated date. That the case will be listed on that date, so they can have a choice whether to ask for mention memo or go for registrar authenticated date. So these are the heads, Bail matters 438, 439, 389, direction matters, orders top of the list, top of the list is a those cases were the cases are allotted to the court and the court has his priorities, I will hear this one first, second, third, fourth. After notice final disposal.

Justice Jha: Top of the list is indicated in the cause list.

Participant: No it is not indicated in the cause list it is the priority of the judge.

Justice Jha: You indicate it in the order itself.

Participant: He does not he has the priority which is known to the registry.

Justice Jha: Some kind of indication has to be there, in the cause list. Ya it has to be there otherwise how the registry will know.

Participant: Matters notified on daily, weekly list are alone treated as assigned to the concerned court not the rest of the framing, ordinarily after 100 main cases are listed, computer generated cases are also listed after listing the cases if the space so permits if the list is oversize the court gives the fresh dates the computer generated dates are also cases after notice, cases of same dated are listed chronologically in suitable logs. All corrected cases civil, criminal are listed as one time, chronologically this obvious multiple hearing of, also insures consistency of judicial pronouncements that is what we connected cases what we are talking about, pre admission cases are listed on fixed dates and I have not left out fresh habious corpse petition cases are listed on the top of the list. In the daily cause list, on the next court working day after removal of.

Justice Jha: This top of the list indication is given by the registry. This is a habious corpse matter.

Participant: Habious corpse first list is always in the division bench, habious corpse is the is the first list.

Participant: All bail application arising out of same crime no. or the same police station filed with different applicants are listed before the same honorable judges.

Justice Jha: This is a good practice, a good practice.

Participant: We can get it from the computer, there are pop ups, there is blinkering in the computer when the crime no. comes.

Justice Jha: Other High Courts may note it done because if such.

Participant: Ya supreme court judgement also. These cases are listed through computer program as per the assignment of the cases, there is no manual intervention. Final hearing cases consolidated then we make a quarterly list of final hearing cases are prioritized, category wise as per the nature of cases, and date of institution is displayed on the official website, weekly list of final hearing is prepared and then there is various daily list the cases is notified in the weekly list

are worked out comencerade the inter say ratio of the pendency of cases, ready cases are given category in the quarterly list. If our given priority category there are 5 or less than 5 cases available for the listing of the week once or supreme court expediency cases all such cases are included in the weekly list. If any case fits in 2 or more priorities, this is important, when it is automatically processed I will show you, in a cases older than the oldest of the given category list the case listed in the weekly list is left out or included in wrong category resulting in losing his seniority later the advocates are free to bring that to the knowledge of the registrar. Then partherd cases and the speedy specially assigned matters cease to be parthered that can be heard by somebody else. If it is parthereed may divert to some other day he may not go the same bench.

Justice Jha: A change of roster makes the partheard matter not part herd it is an ordinary matter.

Participant: Even judges have the same roster, next day it might be in somebody else's bench. Ya it will not remain partherd. The election petition are notified as priority cases before the, this election petition everyone has the original jurisdiction. Mentioning of matter, this is how we mention, mentioning of urgent or listing of change of assigned cases of this matter are notified in the daily list, is made referred DV1, DV1 is the Chief Justices bench in the main seat and senior most in the other. Mentioning of stay single bench arbitration matters are done with the respected judges, the computer generated date are authenticated by principle registrar judicial of pre admission matters as to the court given date if after mention memo there is a report from registrar that a tentative date is there, so if they agree to that tentative date then that is a registrar authenticated date otherwise what the DV says.

Justice Jha: Mention is made in the court.

Participant: Mention is made in the court. But the application is given to the registrar, so when he takes the mention memo to the court there is the report. Earlier that was the system here also but the new chief Justice has done this.

Justice Jha: All mention before

Participant: All mention before DV1.

Justice Jha: Subject wise mention is made.

Participant: We also have this. The mentioning of the single bench arbitration, company, taxation election matter, can be made before the respective designated judges. Not others only one. It ensures consistency in the approach and optimizes time of other benches, on that account we never learned to take a bold as soon as the court is used. Special assignment of company arbitration there are special assignments , auto generated SMS and emails are send to the registered mobile no. email address of the advocate or litigate intimating the office of objection in default matters and listing of cases. We call this are set to the registered email address of the advocates litigant as soon as certified copies ready we also send SMS whenever the certified copy is ready, similar SMS facility is given paper work estimates, and preparation of paper works litigants and advocates all can access case status including judgments orders on their mobiles, an android application is provided on official website which can be downloaded, similar facility is provided display boards and order is uploaded in evening, every day. E-office for advocates, advocates on records are allowed to create a login, so this is just in fluency, we have just started it. Relevant measures to be has excellency, the high court Madhya Pradesh has developed a software for the staff to create virtual work out for them on day to bases, which has reduced their work load and optimized there efficiency level.

Justice Jha: This is very important how does the software functions? The one you are talking about the software for the staff to create virtual work.

Participant: What happens is, we have an IT department also, registrar IT he is close combination with the registrar judicial and we are developing software's every now and then, according to the requirement, now this we have given something to the dealing assistance, who are handling the files, so they can do some work in that prepare their own, I may not be able to do it just now because I handle, the notice is automatically generated.

Justice Jha: The notice gets in the main data base and then.

Participant: Ya and this goes to the districts also. The district judiciary also, if we want a record from the district judiciary, it goes through email.

Justice Jha: Have you understood, this is very important for every one of us.

Participant: Not every high court you must be having but not everyone.

Justice Jha: Have you introduced in the Guwahati high Court, you have prepared. This is very interesting, you have understood, probably you can just replicate in your high courts, this will be very helpful. Because you know automatically the notices will go to the respective places including the lawyer, lawyer gets, litigant also if he is register, your court will get it and then all other concerned person will get it, they are alert now, that there is a notice record has to come it will come. It is very interesting I am telling you this innovative mind this is with the registrar judicial, he has to trigger it in the mind of the Chief justice, unless the order is obtained from the Chief justice you cannot do it but anything has to be triggered by the registrar judicial because he is the helm of the affair because I have already told you the registrar Judicial right from the time of filing till the disposal of the case, its implementation he is the master, though Chief Justice is the master of the roster virtual if you call it virtualing the registrar judicial is the master if the roster. When he is preparing the roster I was also interested for the long 5 years I was there so I know very well though you are preparing the roster, we judges were required to be given which kind of a subject is decided by the registrar judicial nobody else.

Participant: But sir it is the other way round in Madhya Pradesh it is the Chief Justices who will be doing everything and asking the registrars and registrars IT to do all of these things. The think tank is the Chief Justice, we are not given everything we are just implementing.

Justice Jha: But it is always done in the name of the Chief Justice, whenever say that we have done it, but is virtually done.

Participant: Sir, that we show better administration of justice, proper utilization of time resources, all the duty holders facilitating the office of advocate general to ensure protection of case dairy, this is important because then we will be able to hear the case, in our system while in judiciary also while in registry also we have this memos through emails. Internet software these are not, ya the clear backlog of civil criminal cases pending for, with the view to streamline the process of some of the important final hearing cases as Supreme Court expedited, direction cases high court expedited cases, special humanitarian reasons, high court expedited cases, short

questions arguments not exceeding 30 minutes these are the categories which we have found cases of senior citizen more than 75 years, and others. To clear backlog of civil and criminal cases pending for 5 years of the subordinate courts which are held up due to stay orders passed by the high court, are being listed before the special benches we have taken out cases which are held up and special drive is there and we got the cases decided by the high court so that the condition in the lower court is that they are not held up there, the moment cases called in the high court that is the cases are held up in the lower court so that we have done it in the last year, the cases are these are held up cases you know held up cases. Some times what happens is there is no stay order also. The cases are called in the high court and then the automatic stay is there, they are not being taken by the lower court so we have spotted those. By report from computers, we have called report from districts, then we have made a list and we have the benches created and then they hear them. A special bench is formed to hear that. To clear the back log of civil and criminal cases pending before for 5 years or more. Not everywhere that is done. We have created the special benches in our court. Bunching of cases, at present the matter in which the similar issues are involved for the decision are being listed and heard as connected matters during the motion hearing as far as possible, similarly such final hearing matters where similar issues are involved are being listed for hearing on priority basis as a group of ten or more cases sometimes the advocates they are also helped, they come that these are the common.

Justice Jha: Not particularly the departmental advocates will help. Some departmental advocates from forest department is there you would know that there are some cases which are of same category and having the same substantial question of law. You will point it out, if you request it and then calling to the chamber and asking you are doing such cases.

Participant: Some time they come of their own that these are the cases we have listed together. In this process in the year 2014-15 50 bunch matters and in the year 15-16 66 bunch matters were considered of overall 1377 and 1271 that is cases have been disposed of, it shows the success that is there, benefit of listing is there. And if the cases are filed second appeal that is in the at no. 75439 in the category general category, now if it is taken into single bench it is a single bench case then it comes to 56478 a single bench civil at no. 15747 if it is a case of senior citizen then it comes to 4423, if single bench 7 second appeal 4081, high court if there is a clause order for an expedite it then expedite it. Court order that this is the direction of court.

Justice Jha: Bail petition if you let the registry prepare the.

Participant: So if 168 single bench civil second appeal cases of senior citizen it comes to 963 single bench civil second appeal high court expedite it 178 and it cases of senior citizen more than 7534 and if it had all that it comes to 10, so the hearing no. it comes to 10 from 75 thousand 439. If we have update the case in this way category wise.

Justice Jha: This is the procedure which is required to be followed.

Participant: Ya by the clerk.

Justice Jha: Ya if you are prioritizing the listing of the case then he has to follow this particular.

Participant: If he has entered all this then the case at no. 7 thousand 75 thousand 439 will come at 10 for hearing. And this is all done by computer. Automatically done, if the updation is proper, automatically it is done, nobody has to do it, no human intervention so this is this thing. And death sentences cases, reference cases this is what we have done and this is the data. And we have started e-filing from 11th January, just to familiarize the stake holders but still it is in process and the presentation is final only when the hard copy. Thank you very much.

Justice Jha: The question is one very delicate question I have trying to discuss, how do you tackle with CAV matters if the judgment is not delivered by the judge for a long period of time what procedure have you adopted. Is there anything special with anybody? The question is discussing about the fairities because this is the forum where you can discuss. CAV cases how you tackle it because the judges don't bend, CAV means case adjourned for verdict, and it is very simple. Reserved for judgment. No it's a Supreme Court direction.

Participant: That if it is kept reserved for more than 2 months then party accused or advocate can move the Chief Justice that then the chief justice can report it to some other bench. That is the judgment of the Supreme Court.

Justice Jha: Read the rule. It is not only saving matters I am talking about, partheard every High courts have the rules if matter will not remain parthered is registry before any other bench. That has resolved the problem for us. In Patna high court what they do is they have prepared the

list of judge list of reserved judgments. And then circulated around the judges. Chief Justice circulates it and this is again the consensus of the judge risk odd things to do things, the Chief Justice could simply point out but how could the judge. In Allahabad, I had to handle many cases in one such case prayer for bail was made when the case was heard by bench the judgment was reserved to, and 6 years went by and after 6 years the man renewed his prayer for bail on ground that judgment was twice reserved and it was not delivered I am 12 years in custody, by noting down these facts only, then yes bail. The informant went to the Supreme Court for cancellation of my order. The Supreme Court refused to intervene and issued the show cause to the high court. Judges of the supreme court also they were, the Chief Justice of India was doing it, the worst was that the Chief Justice of India then was issuing a notice writing down in the order let the high court explain the circumstances under which, the order itself says ki what were the circumstances the functioning of the judge or he is no-inclination to deliver the judgment, this one is the only reason then whispers started taking down the Jaha sahab the so called supreme court. This is the reason of the criticism of the Allahabad high court also ki they could not correlate there wisdom to the pendency level also. In a triple murder case 5 benches have refused themselves, after hearing the matter in court incidentally I was there, now two of the honorable judges who sat with me one was the junior to one of the counsel appearing, Gopal Chaturvedi, Ramesh said I want to hear this appeal. Gopal Chaturvedi being my senior said that I don't hear these cases. Then V S Pathak was sitting with me then he said that the name appear but he doesn't appear, he said ki so what his name appears. Then the 3rd judge she advance then I could deliver the judgment. My fundamental was very clear, I use to hear and deliver judgment. S U Khan celebrated judge of Allahabad, he was sitting in the Ahodiya bench and he had decided, he has told me ask me why did you do it, only for this reason ki that I don't have a burden in my mind ki I have a reserved judgment firstly secondly lest I forget I deliver the Judgment because the counsel was there everything is fresh in my mind I delivered the judgment 50 pages, 45 pages whatever judgment I delivered. This is the best practice. This is the best practice for a judge whenever you become a judge please remember, in open court, in trial court also I passed all orders on injunction petition immediately after hearing the petition, writ petition instantaneously all sorted session. And succession cases one thing I could request all of you to impress upon the subordinate judges, succession matter is as important as any urgent matter so kindly tell them to dispose of after 30 days after the citation is returned, general notices are refractive. Now it is very easy to take evidence on affidavit under order 18 rule 4 and

someone has died his money is locked in the litigation unnecessary litigation I can inform you that I never ask them to pay the duty unless I had passed my order, once I had passed the order I would have directed the nagit to take the steps for procuring stamp papers for preparing of the succession certificate if the duty amount is revived, so it is conditional order. So this is a very general it is extremely painful to find ki such matters are pending for years. Don't revive the duty court fee because if you don't issue the court will have to refund it and if you issue then only the court fee has to be utilized to purchase the stamp paper the service is free, the court service is free without any court fee, court fee is used only for purchasing yes stamp duty, so pass the order and pass the order after 30 days defiantly. This is the most human approach the court has to adopt. Anything from any other high court. Now regarding the function is the types of work as you call it allotted to the registrar judicial as I have already indicated right from the date of filing of the case, the case is registered and the case is disposed of, communication is made, entire jurisdiction is of the registrar judicial. Now there are some occasions where we have under stint when the Chief Justice will entrust a part of it to some other registrar's for reasons that is the primacy of the prerogative public Chief Justice he can very well do it. Certain things happen like that sometimes and not only that over and above what is given to the registrar judicial the may be given little more from other branch of the registry because of the we can't say no to the Chief Justice he has to carry on and adapt, sometimes the registrar judicial is also asked to look after the transfer of judicial officers of all the things alright you also, you can do the transfer of judicial officers. But you know to indicate what are the duties which are required to be allocated to the registrar judicial in the high court almost I have seen the, you have got the book about you I have given the book I have seen the book and if you just take page no. 181. So here answer to the question role and responsibility of registrar judicial describe in detail your role and responsibility as registrar judicial he has detail no. 1 to no. 40. I have read the entire thing in details and I have found that these are the things which are usually interested to a registrar judicial in all the high courts in the country plus, minus something will be there that is the prerogative of the Chief Justice, we will not be able to tinker on that we have discuss it because this is an exclusive subject this exclusive domain of the Chief Justice nobody can deny to frame any rules or indicate the type of duties which should be entrusted by the Chief Justice to his registrars it is his jurisdiction. But others probably cannot do that but still he wants to know what can be the possible duties which can be entrusted to a registrar judicial then we will very well say that yes you can see that these are the duties which are entrusted to a

registrar judicial in the high court over and above right from filing of the case till disposal of the case anything relating to the case in the High Court is a matter which is required to be dealt with by the registrar judicial of the high court. Carry on with that till the case is completely disposed of and then the preservation of the record that also so much can be done. The prestige of the High Court really rest on the registrar judicial.

Justice Upadhyay: I have already pointed out that this is a sub line post and this is the post of acting as a shock absorber this could sum up the high and low the high and depth both are the post. Depth is on account of the circumstances which sometimes appear on account of the anger of the bar due to some tinkering with the policy of the listing, etc. and the height is that you are the king man whole judicial process of the highest court of the state this is god given, the god has been very kind to you that you people became judge and then you became registrar judicial to discharge such scientified business there is a matter to be proud of not for you for us that you without the clarity of vision and wisdom which you process no high court have been functioning as they function today. Thank you very much.

Justice Jha: So it was so very interesting you know you have discussions, if one high court has the problem other has the answer and entire discussion was interesting but for the preparation of the draft of the rule will as suggested by NJA draft model rules we see that may not be possible with in a period of 2 days discussion to prepare a draft model rules but for the allocation of business by the Chief Justice to all the registrar judicial that can be very well seen that resolved together to tell you that page 181 here there is a list of business allocated to a registrar judicial these are the business which are allocated to the registrar judicial in the high court right from the time of filing of the case till the disposal of the case till the destructions of the case, record. Up to the reaching of the case to the Supreme Court the entire jurisdiction is with the registrar judicial he is looking after that jurisdiction so this much we have to say on this, Dr. Geeta is here.

Dr. Geeta: Sir, at present you could not come to this model rules.

Justice Jha: That's what it is again model rules will require more time. Within a deliberation of 2-3 days it is not possible.

Dr. Geeta: Can we agree to one thing maybe Ruchi will collect all those document and then before submitting it to the Supreme court we have everyone's email ID we will get you consent that this is what it is prepared, this is how it is coming in final shape after knowing everyone's viewpoints.

Justice Jha: That is a good idea that you can do.

Dr. Geeta: Then Ruchi will email all of you and if everyone gives consent then those can be forwarded and whatever changes are there at your own time you can I mean suggest when you go back you may come across something which should be there which should not be there.

Justice Jha: When they receive your email then they will be Incorporate this.

Dr. Geeta: So we do like this, then Ruchi do this you have everyone's email. So I must say thank you to all of you, all of you have taken time out of you court work and you have come here, with an objective that we should do something you know concrete actually, a concrete document and as to whether these functions need to be re look into, there is also you know lot of debate going on now days in the judiciary itself and we meet so many former Supreme Court justices and High Court Chief Justices and all of them expressed that especially the retired judges actually of High Courts and Supreme courts especially they are actually insists we are wasting time of our judicial officer of the registry you know registry should be organized it is one place were judicial officer has to, lot of these debates are going on you know a lot of momentum for this so we don't know and that's why we are actually asking even registrars is that so I mean is that judicial officer are they are saying that judicial officers are not meant for the registry work it is an administrative work. But this is perception of High Court justices and Supreme Court judges not of the academy, academy is only learning and discussing.

Justice Jha: I could tell you Geeta the primacy of you could go through a judgment I have given the reference and the copy of that judgment to Ruchi. The whole administration of justice the Chief justice doesn't have any leniency as among the judges, of a high court or a supreme court but he has a primacy when it comes to administrative matters and administration of justice matters so Chief Justice is first among the equals when it comes to and he is the master of the roster he has to create the roster he is the sole arbiter of the rosters he has to create rosters and he has

to allocate business to different judges after forming benches single or division or full or whatever especial whatever, it is impossible for the Chief Justice to run the state high court say Allahabad or say Bombay say Karnataka or any high court for that matter it is impossible humanly impossible to handle those much of works single handedly no chief justice could do it and as such there is an internal power of the Chief Justice understood not written that he could call any officer create any post also in the registry, registrar judicial, joint registrar judicial, additional registrar judicial any he could create so it depends upon work load which is handled by the high court. You could imagine the administrative work load of a chief justice the judicial work load of a chief justice and then could you imagine that you could be in a position to discharging the duties as efficiently and in time as is expected of a high court certainly not so we may talk I also have an opinion that court officials must go to the civil courts but independent minded officers must come to the registry also so that independent minded not timid officers, judicial officers I always been judicial officers independent he must have independent mind so that he could advise his chief justice of the right thing. I could site you an example Justice R N Lohra one of the most respected chief justices in recent times Justice R M Lohra was my chief justice and when got that I got the Chief Justice of Patna High Court then his lordship was searching for judicial officers who could muster respect in the lower judiciary, one officer I won't name him he was the registrar administration vigilance and in such matters he would consult me. And I commanded highest respect among the judicial officers then I justice Lohra was having a very different opinion about that registrar vigilance then he called me, then I said Sir why don't you make him the registrar general. He said many things about him I said sir he had been my additional district judge when I was district judge and I respect him, Oh you respect him, you rate him as a officer who could, yes sir and the man was given the job of registrar general likewise another officer who has also been my additional judge, Lohra shab was having an impression ki jaswal people indulge in liquor business they could not be good judicial officers, it took me 15-20 minutes to impress upon him ki sir he is from Varanasi his family has traditional silk business I know personally about him he has been my additional judge, oh I like that then he was inducted in the registry. So it is not that the Chief Justice brings any officer any one from the judicial unless he inquirers about the reputation and respect commanded by the officer and unless the officer is respected by the lower statum of the judiciary the high court would not be establishing proper link, this is one. The registrar Judicial is the link between the litigants and the high courts. I tell you whenever I was

asked except one post secretary legal services authority to establish the authority in behalf I always wrote down one line I am not incline to take up any post on deputation, so once Justice Bhatua and other time Justice Bhutt they wanted me to redrafted into the registry, Justice Bhatua's attempt fails other man was adopted into, but I was very much worried and when my elevation was under way Justice Bhutt was attempting to take me into the registry then I had to approach a chief justice another chief justice of another high court of my high court defiantly then he started, how is it that whenever the high court has attempted to drape you in the registry you have always refused if an officer like you cannot come into the registry. He was telling me Justice S N Jha you may be aware of his name, he did before the scam inquiry he headed that bench, Highly respected judge, he started reviewing me that how is it that whenever the high court has attempted to drape you in the registry if head officer of your class could not come then who shall come, this is I am not criticizing or I am not castigating both judges who have appoint, express their opinions to you but the things do require good officers to be.

Dr. Geeta: I am just expressing, and I shall express this.

Justice Jha: Na Geeta I tell you one thing say a clerk of the high court is promoted and posted as registrar vigilance who has to deal with all confidential matters in respect of judicial officers, what so ever be the fate of the judicial officers.

Dr. Geeta: Of course I am not thinking of clerks and attendants those who are posing I am not saying that we should be promotion post from officers of the high court they are not at all suggesting that.

Justice Jha: No the issue is not that if one has never been a judicial officer he will not be knowing the fragility of the carrier of the judicial officer. The carrier of a judicial officer is true fragile to be sustained a single petition could reveal the carrier of a good judicial officer and good judicial officer is not good only because he is good, he is honest, integrity wise he is honest, he forgets about his family, he forgets about his children while judging a case he forgets out everything. So it is the most bias national duty of a judicial officer to judge a case.

Justice Upadhyay: No, Geeta you recall all India judges association case no. 1, no. 2. The service was declared to be not a service, why? Because the job undertaken by a judge is quite different from the minister, from a parliamentarian.

Dr. Geeta: No I of course understand and appreciate this point also.

Justice Jha: No you convey our sentiment to those judges also.

Dr. Geeta: Yes I will. It's good to have your points of view on this.

Justice Jha: I give her an example you have meet Justice Sadanat Mukhergi. I had requested him that you be as, someone has called and told me give some names, Sadanat Mukhergi I had given some names, while his lordship was a registrar, he was the registrar general of the court, his head was throughout the tenure he was registrar general and the day he became the judge everything did vanished, he looked back while he was registrar general he was sekhik and now he is straight. So this could sum up the position of officer on the registra. Geeta me tumko batun registry me jaa ke blood pressure, sugar ho jata he en logo ko.

Dr. Geeta: And therefore you want your colleges to have as well.

Justice Jha: Posting in the registry was also considered to be a bests posting.

Dr. Geeta: So with this we come to an end, and we thank you very much every one of you and of course specially our resource person, Justice Jha and Justice Upadhyay, they did an commendable work, they are sharing with you their own life experiences with you, as judges even they experienced with registry and everyone and even the work of register judicial so thank you so much. I hope we come out with something concrete document so that we know other every conference must end with some useful document, even if not today maybe 10 years later one can reflect on that, yes this conference was held over here these were the outcomes and this is something that you have achieved actually, there is something outcome of our discussions and delegations. Because we are not doing some teaching over here, we are all sitting over here and discussing something. Learning yes we keep some sessions for learning, which have actually tried to give us different directions and perspectives but otherwise if you see two days, other two days

were discussion among yourself among your fraternity and therefore something must come out of those two days, so as something has come out and we will be taking that forward we will be emailing you taking your inputs, reframing it after every one has given approval and then submitting it, this is what we have thought in our mind and with this objective only we assembled over here so with this thank you very much and if something we have, we are not able to meet expectations then we apologize for them.

Justice Jha: Geeta this is our family, this is our institution.

Dr. Geeta: Of course no drought about it.

Justice Jha: This is our academy, we came, we stayed, we enjoyed, and we learned many things.

Dr. Geeta: Yes, so with this i also thank the program coordinator Ruchi who is working so hard for this thing and give clap to all yourself. Taking a long journey to come and taking a long journey now to go back, so thank you so much all of you.