

**TRAINING OF TRAINERS FOR STATE JUDICIAL ACADEMIES [P-1347]  
(PARTICIPANTS: DIRECTORS/FACULTY MEMBERS OF SJA)  
(13-14 MAY 2023)**

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<b>CASE LAW JURISPRUDENCE ( Supreme Court)</b>		
1.	<i>Satender Kumar Antil v. Central Bureau of Investigation and Anr.</i> (2022) 10 SCC 51 – directed judgment in Siddharth vs. State of U.P. (2022) 1 SCC 676 be incorporated as part of the curriculum of the State Judicial Academies and the National Judicial Academy.	

2.	<b><i>Gohar Mohammed v. Uttar Pradesh State Road Transport Corporation and Ors.</i></b> MANU/SC/1649/2022 – directed that <i>there should be programs from time to time, in all State Judicial Academies to sensitize the presiding officers of the Claims Tribunals, senior police officers of the State Police as well as Insurance Company for the implementation of the said Procedure.</i>
3.	<b><i>In Re: Expeditious Trial of Cases Under Section 138 of N.I. Act, 1881</i></b> AIR 2022 SC 2481 – directed that <i>a four-week training programme by the State Judicial Academies on topics of substantive, procedure, and evidence law related to the offenses under the NI Act shall be conducted for them.</i>
4.	<b><i>Patil Automation Private Limited and Ors. vs. Rakheja Engineers Private Limited</i></b> (2022)10 SCC 1 – directed that <i>there must be training by Experts, including at the State Judicial Academies. This must be undertaken on a regular and urgent basis, particularly keeping in mind when there is a dearth of trained mediators. There is a need to have a dedicated bar for mediation.</i>
5.	<b><i>Patan Jamal Vali vs. The State of Andhra Pradesh</i></b> AIR 2021 SC 2190 - directed that <i>National Judicial Academy and State Judicial Academies are requested to sensitize trial and appellate judges to deal with cases involving survivors of sexual abuse.</i> This training should acquaint judges with the special provisions, concerning survivors, such as those outlined above. It should also cover guidance on the legal weight to be attached to the testimony of such witnesses/survivors, consistent with our holding above.
6.	<b><i>Aparna Bhat and Ors. vs. State of Madhya Pradesh and Ors.</i></b> AIR 2021 SC 1492 - directed that training for gender sensitization for judges at all judiciary levels should be conducted at regular intervals by the National Judicial Academy and State Judicial Academies.
7.	<b><i>Union Public Service Commission vs. Bibhu Prasad Sarangi and Ors.</i></b> (2021) 4 SCC 516 – observed that <i>cutting, copying, and pasting from the judgment of the Tribunal, which is placed in issue before the High Court, may add to the volume of the judgment. ... Crisp reasoning is perhaps the answer. ..Reasons constitute the soul of a judicial decision. .. The National Judicial Academy will do well to take this up. ..</i>
8.	<b><i>Bajaj Allianz General Insurance Company Private Ltd. v. UOI and Ors.</i></b> MANU/SCOR/43928/2021 – directed that <i>the Registrar’s General would also interact with the Judicial Academy for conducting training and awareness sessions periodically not only for the Presiding Officers of the MACTs. but also Police Officers, nodal persons of the insurer, Presiding Officers of Lok Adalat/ Online Mediation Group etc. to enhance the awareness in implementation of the directions.</i>
9.	<b><i>M.R. Krishna Murthi vs. The New India Assurance Co. Ltd. and Ors.</i></b> (2020) 15 SCC 493 – directed that <i>there should be programmes from time to time, in all State Judicial Academies, to sensitize Presiding Officers of Claims Tribunals, Senior Police Officers of State Police as well as Insurance Company for implementation of the Procedure.</i>

10.	<b>Ram Murti Yadav vs. State of Uttar Pradesh and Ors.</b> (2020)1SCC 801 – observed that <i>the standard or yardstick for judging the judicial officer's conduct has to be strict. ... not every inadvertent flaw or error will make a judicial officer culpable. The State Judicial Academies undoubtedly has a stellar role to perform in this regard. A bona fide error may need correction and counseling.</i>
11.	<b>Dheeraj Mor vs. Hon'ble High Court of Delhi</b> (2020) 7 SCC 401 – observed that - <i>While we have accepted the recommendation of the Shetty Commission which will result in the increase in the pay scales of the subordinate judiciary, it is at the same time necessary that the judicial officers, hard-working as they are, become more efficient. It is imperative that they keep abreast of knowledge of law and the latest pronouncements, and it is for this reason that the Shetty Commission has recommended the establishment of a Judicial Academy, which is very necessary.</i>
12.	<b>Swapnil Tripathi and Ors. v. Supreme Court of India and Ors.</b> AIR 2018 SC 4806 observed that <i>the e-Courts Project also includes capacity building of officers, ICT provisioning of District Legal Service Authorities, Taluka Legal Service Committees, State Judicial Academies and judicial process re-engineering.</i>
13.	<b>Re: Exploitation of Children in Orphanages in the State of Tamil Nadu v. UOI and Ors.</b> (2017)7SCC578 – observed that <i>the training of personnel as required by the JJ Act and the Model Rules is essential. There are an adequate number of academies that can take up this task including police academies and judicial academies in the States. There are also national-level bodies that can assist in this process of training including bodies like the Bureau of Police Research and Training, the National Judicial Academy and Ors. including established NGOs.</i>
14.	<b>Voluntary Health Association of Punjab vs. Union of India and Ors.</b> (2016) 10 SCC 265 – observed that - <i>judicial officers who are to deal with these cases under the Pre-conception and Pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994 shall be periodically imparted training in the Judicial Academies or Training Institutes, as the case may be, so that they can be sensitive and develop the requisite sensitivity as projected in the objects and reasons of the Act and its various provisions and in view of the need of the society.</i>
15.	<b>Suresh v. State of Haryana</b> (2015) 2 SCC 227 – <i>directed that a copy of this judgment be forwarded to National Judicial Academy so that all judicial officers in the country can be imparted requisite training to make the provision operative and meaningful.</i>
16.	<b>State of Gujarat v. Kishanbhai,</b> (2014) 5 SCC 108 directed that <i>Judgments like the one in hand (depicting more than ten glaring lapses in the investigation/prosecution of the case), and similar other judgments, may also be added to the training programmes.</i>
17.	<b>OMA and Ors. v. State of Tamil Nadu</b> AIR 2013 SC 825 – observed that <i>criminal court while deciding criminal cases shall not be guided or influenced by the views or opinions expressed by Judges on a private platform. The views or opinions expressed by the Judges, jurists, academicians, law teachers may be food for thought. Even the discussions or deliberations made on the State Judicial Academies or National Judicial Academy at Bhopal, only update or open new vistas of knowledge of judicial officers. National Judicial Academy and State Judicial</i>

	<i>Academies should educate our judicial officers in this regard so that they will not commit such serious errors in future.</i>
18.	<i>All India Judges' Assn. (3) v. Union of India, (2002) 4 SCC 247 recommended that a fresh recruit into the judicial service should be imparted training of not less than one year, preferably two years.</i>
19.	<i>All India Judges' Assn. v. Union of India (1993) 4 SCC 288 - observed that the National Judicial Academy when constituted, we hope, will take over in a comprehensive way all aspects of the training of judicial officers at all stages..</i>

### CASE LAW JURISPRUDENCE ( High Court)

20.	<i>Iffco Tokiyo General Insurance Company Ltd. vs. Diwakar Singh and Ors. MANU/MP/0682/2023 &amp; The Oriental Insurance Co. Ltd. vs. Anita Tiwari and Ors. MANU/MP/0607/2023 – requested Registrar General of the High Courts, States Legal Services Authority and State Judicial Academies to sensitize all stakeholders as early as possible with respect to the provisions of Chapters XI and XII of the M.V. Amendment Act and the M.V. Amendment Rules, 2022 and to ensure the mandate of law.</i>
21.	<i>Rajesh Tyagi and Ors. vs. Jaibir Singh and Ors. MANU/DE/0051/2021 – held – a combined reading/ implementation of DAR (Detailed Accident Report) regime - which is a technology platform, allied with reference of the victims to Medical Board, as a matter of rule for availing certificates of disability, and on grant of just compensation, the transfer of the same as digital transfer to the bank accounts of the victims, would be a huge and transformational change. ... Maybe, it would make sense to introduce and familiarize the concerned Judicial Officers, elsewhere in Tamil Nadu also, with this new technological regime, which if accessed by them with intent and alacrity, would enable them to advance in their careers too with a better performance. ..</i>
22.	<i>Sangamitra Acharya and Ors. vs. State (NCT of Delhi) and Ors. MANU/DE/1453/2018 directed the Central and State Mental Health Authorities in collaboration with the State Judicial Academies, to hold programmes on periodic basis with civil society groups, Resident's Welfare Associations, Police Officers, lawyers and Judges to sensitize them about the various compliances under the MHA and its successor, the Mental Healthcare Act 2017, and how to treat persons who are sought to be governed by the said legislation.</i>
23.	<i>State of J and K vs. Zulfakar Ahmad MANU/JK/0136/2015 – observed that the trial court judgment depicted traditional mind-set that victim in a rape case has to establish her non-involvement in offence. Trial Court has dealt with the matter, makes us skeptical about impact of refresher training courses, seminars, symposia, undertaken by National Judicial Academy and State Judicial Academies on the approach and mind-set of our judicial officers.</i>