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7.	Posner, R. A. (2006), <i>The Role of the Judge in the Twenty-First Century</i> , Boston University Law Review 86(5), 1049-1068	238
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*(Judgments mentioned below include citations and short notes for reference. Please refer full judgment (available in pen drive) for conclusive opinion)*

1. **S. G. Vombatkere v. Union of India** (2022) 7 SCC 433 [*The Court while dealing with the petitions challenging the constitutionality of Section 124-A of the Penal Code, 1860 which deals with offence of “sedition”, has directed that all pending trials, appeals and proceedings with respect to the charge framed under the said section be kept in abeyance. The Supreme Court also urged the State and Central Governments to restrain from registering any FIR under Section 124-A IPC till the Court decides the provision’s constitutional validity.*]
2. **Union of India v. Mohit Minerals (P) Ltd.**, 2022 SCC OnLine SC 657 [ *Cooperative and Collaborative Federalism*]
3. **Aparna Bhat v. State of MP**, 2021 SCC OnLine 230 [*Directions to be considered while granting bail in sexual offences*]
4. **Amish Devgan v. Union of India**, (2021) 1 SCC 1 [*Fraternity, diversity and pluralism assuring dignity of the individual have fundamental relationship with unity and integrity of the Nation. Speech or expression causing or likely to cause disturbance of or threats to public order, or, divisiveness and alienation amongst different groups of people, or, demeaning dignity of targeted groups, held, is against Preambular precepts, and violates dignity, liberty and freedom of others, particularly of the targeted groups, and poses threat to fraternity, and unity and integrity of the Nation, and must be dealt with as per law.*]
5. **Firoz Iqbal Khan v. Union of India & Ors.**, (2021) 2 SCC 596 [*There should be a balance between fundamental right to free speech and expression and the fundamental right to equality and fair treatment for every segment of citizens.*]
6. **Chief Election Commissioner of India v M. R. Vijayabhaskar and Ors.** (2021) 9 SCC 770 [*Freedom of press relating to Court proceedings*]
7. **Vinod Dua v. UOI**, 2021 SCC OnLine SC 414 [ *Upheld right of the citizen to criticize the government*]
8. **Anuradha Bhasin v. Union of India**, (2020) 3 SCC 637 [*Access to Internet as a Fundamental Right*]
9. **K. S. Puttaswamy (Aadhaar) v. Union of India**, (2019) 1 SCC 1 [*Para 1525 - The importance of the existence of courts in the eyes of citizens has been highlighted in Harper Lee's classic To Kill a Mockingbird: “But there is one way in this country in which all men are created equal—there is one human institution that makes a pauper the equal of a Rockefeller, the stupid man the equal of an Einstein, and the ignorant man the equal of any college president. That institution, gentlemen, is a court. It can be the Supreme Court of the United States or the humblest J.P. court in the land, or this honorable court which you serve. Our courts have their faults, as does any human institution, but in this country our courts are the great levelers, and in our courts all men are created equal.”*]
10. **Common Cause v. Union of India and Another**, (2018) 5 SCC 1 [*Euthanasia- A Constitution Bench decided that the right to life with dignity under Article 21 includes a right to die with dignity.*]
11. **Joseph Shine v. Union of India**, (2018) 2 SCC 189 [*Decriminalization of Adultery- The Court decriminalised adultery, striking down Section 497 of the Indian Penal Code, 1860 (IPC) ]*

12. **Indian Young Lawyers Association & Ors. v. The State of Kerala**, (2019) 11 SCC 1 [Sabrimala Case- The Supreme Court declared unconstitutional the Sabarimala Temple's custom of prohibiting women in their 'menstruating years' from entering.]
13. **Navtej Singh Johar v. Union of India**, (2018) 10 SCC 1 [ A five-judge Bench unanimously struck down Section 377 of the Indian Penal Code, to the extent that it criminalised same-sex relations between consenting adults.]
14. **Independent Thought v. Union of India**, AIR 2017 SC 4904 [In this case, the principle of constitutional morality was applied to counter the prevailing societal norms, which consider women the property of men with no sexual and bodily autonomy. "Constitutional morality forbids us from giving an interpretation to Exception 2 to Section 375 IPC that sanctifies a tradition or custom that is no longer sustainable."]
15. **Swaraj Abhiyan v. Union of India & Ors.** (2018) 12 SCC 170 [ Principles of Cooperative Federalism- Sovereignty divided in form of Centre and State- Centre and States often meet and interact at various levels to achieve goal of cooperative federalism – Centre is not powerless
16. **Justice K. S. Puttaswamy (Retd.) v. Union of India**, (2017) 10 SCC 1 [The nine Judge Bench in this case unanimously reaffirmed the right to privacy as a fundamental right under the Constitution of India. The Court held that the right to privacy was integral to freedoms guaranteed across fundamental rights, and was an intrinsic aspect of dignity, autonomy and liberty.]
17. **Shayara Bano v. Union of India**, (2017) 9 SCC 1 [The practice of talaq-e-biddat or instantaneous triple talaq is unconstitutional.]
18. **Subramanian Swamy v. Union of India (UOI), Ministry of Law**, (2016) 7 SCC 221 [The Court upheld the constitutionality of the criminal offence of defamation under Sections 499 and 500 of the Indian Penal Code.]
19. **Nabam Rebia v. Deputy Speaker**, (2016) 8 SCC 1 [The Supreme Court settled the question of governor's discretion and the 'scope' of judicial review over governor's functions.]
20. **Supreme Court Advocates on Record Association v. Union of India**, (2016) 5 SCC 1 [ This case is popularly known as the second judges' transfer case where the majority overruled SP Gupta case and held that the in the matter of appointment of judges of the Supreme Court and High Court Chief Justice of India should be given importance. The court also laid down detailed guidelines governing the appointment and transfer of judges and ruled that Chief Justice of India should be appointed based on seniority. The Supreme Court had clearly held that no appointment of any judge to the Supreme Court or any High Court can be made unless it is in conformity with the opinion of Chief Justice of India.]
21. **Jeeja Ghosh v. Union of India**, (2016) 7 SCC 761 [Held that the rights that are guaranteed to differently abled persons under the PWD Act are founded on the sound principle of human dignity which is the core value of human right and is treated as a significant facet of right to life and liberty. Such a right now treated as human right of the persons with disability has its roots in Article 21 of the Constitution.]
22. **National Legal Services Authority v. Union of India and others**, (AIR 2014 SC 1863) [The Supreme Court declared transgender people the 'third gender', affirmed that the fundamental rights granted under the Constitution of India will be equally applicable to them, and gave them the right to self-identification of their gender as male, female or third gender.]
23. **Naz Foundation v Government of NCT and Ors.**, 2009 SCC OnLine Del 1762 [The Court differentiated public morality and constitutional morality - Popular morality, as distinct from a constitutional morality derived from constitutional values, is based on shifting and subjecting notions of right and wrong. If there is any type of "morality" that can pass the test of compelling state interest, it must be "constitutional"]

*morality and not public morality.] [In our scheme of things, constitutional morality must outweigh the argument of public morality, even if it be the majoritarian view.]*

**\*Suggested Additional Reading (Landmark Judgments - Citations for Reference)**

- ✓ *Rajbala v. State of Haryana; (2016) 2 SCC 445*
- ✓ *Supreme Court Advocates on Record Association v. Union of India; 2015 AIR SCW 5457*
- ✓ *Shreya Singhal v. Union of India 2015; Indlaw SC 211*
- ✓ *Charu Khurana v. Union of India (UOI); (2015)1SC C 192*
- ✓ *Pramati Educational and Cultural Trust and Ors. v. Union of India (UOI) and Ors; (2014)8SC C 1*
- ✓ *State of Maharashtra v. Indian Hotel and Restaurants Association; (2013) 8 SCC 519*
- ✓ *Lily Thomas v. Union of India & Ors; (2013) 7 SCC 653*
- ✓ *People's Union of Civil Liberties v. Union of India; (2013) 10 SCC 1*
- ✓ *Abhay Singh v. State of Uttar Pradesh and Ors; (2013) 15 SCC 435*
- ✓ *Union of India v. R. Gandhi, President, Madras Bar Association; (2010) 11 SCC 1201*
- ✓ *M. Nagaraj and Others v. Union of India & Others; AIR 2007 SC 71*
- ✓ *I.R. Coelho (Dead) By Lrs v. State of Tamil Nadu & Ors; (2007) 2 SCC 1*
- ✓ *P.A. Inamdar and Others v. State of Maharashtra; (2005) 6 SCC 537*
- ✓ *L. Chandra Kumar v. Union of India; AIR 1997 SC 1125*
- ✓ *People's Union of Civil Liberties v. Union of India; AIR 1997 SC 568*
- ✓ *S.R. Bommai v. Union of India; AIR 1994 SC 1918*
- ✓ *Bijoe Emmanuel & Ors v. State of Kerala; AIR 1987 SC 748*
- ✓ *Minerva Mills Ltd. & Ors. v. Union of India & Ors; AIR 1980 SC 1789*
- ✓ *Maneka Gandhi v. Union of India; AIR 1978 SC 597*
- ✓ *Indira Nehru Gandhi v. Raj Narain & Another; AIR 1975 SC 1590*
- ✓ *Kesavananda Bharati v. State of Kerala; AIR 1973 SC 1461*
- ✓ *E. M. Sankaran Namboodiripad v. T. Narayanan Nambiar; AIR 1970 SC 2015*

**Session 3: Elements of Judicial Behaviour- Ethics, Neutrality and Professionalism**

1.	<i>The Bangalore Principles of Judicial Conduct, (The Bangalore Draft Code of Judicial Conduct 2001 adopted by the Judicial Group on Strengthening Judicial Integrity, as revised at the Round Table Meeting of Chief Justices held at the Peace Palace, The Hague, November 25-26, 2002.)</i>	<b>258</b>
2.	Justice R.V. Raveendran, <i>How to be a Good Judge: Advice to New Judges</i> in ANOMALIES IN LAW & JUSTICE: WRITINGS RELATED TO LAW & JUSTICE, EBC Publishing (P) Ltd., 277-317 (2021)	<b>269</b>
3.	Lord Denning, <i>“Into the Conduct of Judges”</i> in THE DUE PROCESS OF LAW, Oxford University Press (2012), pp. 58-66	<b>292</b>
4.	Justice Sunil Ambwani, <i>Ethical Reasoning in Judicial Process</i> , (2012) 4 SCC J-35	<b>301</b>

5.	Aharon Barak, <i>The Role of the Judge: Theory, Practice and the Future</i> in THE JUDGE IN A DEMOCRACY, Princeton University Press (2008) pp. 306-315	311
6.	Justice A.K Sikri, <i>Role of the Judge in a Democracy</i>	321

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*(Judgments mentioned below include citations and short notes for reference. Please refer full judgment (available in pen drive) for conclusive opinion)*

1. **Muzaffar Husain v. State of Uttar Pradesh and Anr.** 2022 SCC OnLine SC 567 [*Showing undue favour to a party under the guise of passing judicial orders is the worst kind of judicial dishonesty and misconduct. The extraneous consideration for showing favour need not always be a monetary consideration. It is often said that "the public servants are like fish in the water, none can say when and how a fish drank the water". A judge must decide the case on the basis of the facts on record and the law applicable to the case. If he decides a case for extraneous reasons, then he is not performing his duties in accordance with law. As often quoted, a judge, like Caesar's wife, must be above suspicion*]
2. **Mathew Z Pulikunnel v. Chief Justice of India**, WP(C) NO. 17654 OF 2021 [*If it is held that a party who is directly or indirectly connected with a dispute decided by a Judge can approach the Court in a proceedings under Article 226 of the Constitution seeking direction on a complaint lodged against the Judge concerning the decision taken by him alleging that the same is not one conforming to the Restatement of Values of Judicial Life, there cannot be any doubt that the same will have a deleterious effect on the institution.*]
3. **Sadhna Chaudhary v. State of Uttar Pradesh** (2020) SCC Online 307 [*Judicial officers must aspire and adhere to a higher standard of honesty, integrity and Probity*]
4. **Shrirang Yadavrao Waghmare v. State of Maharashtra**, (2019) 9 SCC 144 [*The first and foremost quality required in a Judge is integrity. The need of integrity in the judiciary is much higher than in other institutions. The judiciary is an institution whose foundations are based on honesty and integrity. It is, therefore, necessary that judicial officers should possess the sterling quality of integrity*]
5. **Registrar General, Patna High Court v. Pandey Gajendra Prasad**, 2012 STPL(Web) 305 SC [*There is no gainsaying that while it is imperative for the High Court to protect honest and upright judicial officers against motivated and concocted allegations, it is equally necessary for the High Court not to ignore or condone any dishonest deed on the part of any judicial officer*]
6. **Rajendra Singh Verma (Dead) Through LRs. v. Lieutenant Governor (NCT of Delhi)**, (2011) 10 SCC 1 [*In case where the Full Court of the High Court recommends compulsory retirement of an officer, the High Court on the judicial side has to exercise great caution and circumspection in setting aside that order because it is a complement of all the Judges of the High Court who go into the question and it is possible that in all cases evidence would not be forthcoming about integrity doubtful of a judicial officer*]
7. **Tarak Singh v. Jyoti Basu**, (2005)1 SCC 201 [*There is nothing wrong in a Judge having an ambition to achieve something, but if the ambition to achieve is likely to cause a compromise with his divine judicial duty, better not to pursue it. Because, if a Judge is too ambitious to achieve something materially, he becomes timid. When he becomes timid there will be a tendency to make a compromise between his divine duty and his personal interest. There will be a conflict between interest and duty*]

*[“Integrity is the hallmark of judicial discipline, apart from others. It is high time the judiciary took utmost care to see that the temple of justice does not crack from inside, which will lead to a catastrophe in the judicial-delivery system resulting in the failure of public confidence in the system. It must be remembered that woodpeckers inside pose a larger threat than the storm outside.”]*

8. **High Court of Judicature at Bombay v. Shashikant S. Patil**, (2000) 1 SCC 416 [*Honesty and integrity are the hallmarks of judicial probity. Dishonesty and lack of integrity are hence the basic elements of misconduct as far as a Judicial Officer is concerned*]
9. **Union of India v. K.K. Dhawan** (1993) AIR 1478 [*The judicial officer, if acts negligently or recklessly or attempts to confer undue favour on a person or takes a decision which is actuated by corrupt motive, then he is not acting as a judge*]
10. **High Court of Judicature at Rajasthan v. Ramesh Chand Paliwal**, (1998) 3 SCC 72 [*Judges have been described as 'hermits', further reminding that, "they have to live and behave like hermits, who have no desire or aspiration, having shed it through penance. Their mission is to supply light and not heat*]
11. **High Court of Judicature at Bombay v. Uday Singh**, (1997) 5 SCC 129 [*Maintenance of discipline in the judicial service is a paramount matter. Acceptability of the judgment depends upon the credibility of the conduct, honesty, integrity and character of the officer. The confidence of the litigating public gets affected or shaken by lack of integrity and character of Judicial Officer*]
12. **Daya Shankar v. High Court of Allahabad**, (1987) 3 SCC 1 [*Judicial officers cannot have two standards, one in the court and another outside the court. They must have only one standard of rectitude, honesty and integrity. They cannot act even remotely unworthy of the office they occupy*]
13. **State vs. Chief Editor, Manabjain and others**, LEX/BDHC/0113/2002 (**Supreme Court of Bangladesh**), [*To safeguard the position Court suggested suggested to follow the self-restrained path of social isolation. The Supreme Court held that Judges should keep the confidence of the public in the judiciary by laying down certain key points.*]
14. **C. Ravichandran Iyer v. Justice A.M. Bhattacharjee & Ors.** (1995) 5 SCC 457 [*Judicial office is essentially a public trust. Society is, therefore, entitled to expect that a Judge must be a man of high integrity, honesty and required to have moral vigour, ethical firmness and impervious to corrupt or venial influences. He is required to keep most exacting standards of propriety in judicial conduct. Any conduct which tends to undermine public confidence in the integrity and impartiality of the court would be deleterious to the efficacy of judicial process*]
15. **K.P. Singh vs. High Court of H.P. & ors.** 2011(3)KLJ11 [*A judge is judged not only by the quality of his judgments, but also by the quality and purity of his character and the measurable standard of that character is impeccable integrity reflected transparently in his personal life as well. One who corrects corruption should be incorruptible. That is the high standard, the public has set in such high offices of institutional integrity. Therefore, any departure from the pristine codes and values of discipline and disciplined conduct on the part of the judicial officers will have to be viewed very seriously lest the very foundation of the system would be shaken and, if so, that will be the death knell of democracy...]*
16. **R.C. Chandel v. High Court of M.P.**, (2012) 8 SCC 58 [*There can be no manner of doubt that a Judge must decide the case only on the basis of the facts on record and the law applicable to the case. If a Judge decides a case for any extraneous reasons then he is not performing his duty in accordance with law. 10. In our view the word "gratification" does not only mean monetary gratification. Gratification can be of various types. It can be gratification of money, gratification of power, gratification of lust etc., etc.]*
17. **All India Judges' Association v. Union Of India**, 1992 AIR 165 [*Para 61 – It is time we mention about society's expectation from the Judicial Officers. A judge ought to be wise enough to know that he is fallible and, therefore, even ready to learn and be courageous enough to acknowledge his errors. The conduct of every judicial officer should be above reproach. He should be conscientious, studious, thorough, courteous, 'patient, punctual, just, impartial, fearless of public clamor, regardless of public praise, and indifferent to private, political or partisan influences; he should administer justice according to law, and deal with his appointment as a public trust; he should not allow other affairs or his private interests to interfere with the prompt and proper performance of his*

<p><i>judicial duties, nor should he administer the office for the purpose of advancing his personal ambitions or increasing his popularity.]</i></p>		
<p>18. <b>Rajesh Kohli vs. High Court of J. and K. and Anr.</b> (2010)12SCC783 [<i>Upright and honest judicial officers are needed not only to bolster the image of the judiciary in the eyes of litigants, but also to sustain the culture of integrity, virtue and ethics among judges. The public's perception of the judiciary matters just as much as its role in dispute resolution. The credibility of the entire judiciary is often undermined by isolated acts of transgression by a few members of the Bench, and therefore it is imperative to maintain a high benchmark of honesty, accountability and good conduct.</i>]</p>		
<p><b>Additional Readings</b></p>		
1.	Leslie Steven Rothenberg, <b><i>The Role of Judges and the Courts as Definers of Ethical Norms</i></b> , Selected Papers from the Annual Meeting (American Society of Christian Ethics), 1977, Eighteenth Annual Meeting (1977), pp. 104-128	
2.	Justice G. S. Singhvi, <b><i>Judicial Ethics</i></b> 7(2) Journal of Delhi Judicial Academy 93-106 (2011)	
3.	Commentary on <b><i>Bangalore Principles of Judicial Conduct</i></b> , United Nations office on Drugs and Crime, September 2007 [ <i>A detailed draft commentary was prepared on each of the Bangalore Principles and discussed in depth, together with the Principles, at the Open-Ended Intergovernmental Expert Group Meeting on Strengthening Basic Principles of Judicial Conduct held in Vienna on 1-2 March 2007. The Commentary gives depth and strength to the Principles and contributes significantly to furthering their global adoption as a universal declaration of judicial ethics</i> ]. Link to access: <a href="https://www.unodc.org/documents/corruption/publications_unodc_commentary-e.pdf">https://www.unodc.org/documents/corruption/publications_unodc_commentary-e.pdf</a>	
4.	<b><i>Restatement of Values of Judicial Life, 1999</i></b> [ <i>As adopted by Full Court Meeting of the Supreme Court of India on 7th May, 1997</i> ]. <a href="https://main.sci.gov.in/pdf/Notice/02112020_090821.pdf">https://main.sci.gov.in/pdf/Notice/02112020_090821.pdf</a>	
5.	Cynthia Gray, <b><i>Ethical Standards for Judges</i></b> , American Judicature Society [ <i>Ethical Standards for Judges was developed in 1999 under grant from the State Justice Institute, “An Educational Program for Members of State Judicial Conduct Organizations.” It was substantially up-dated and revised in 2009</i> ]	
<p style="text-align: center;"><b>Session 4: Judging Skills : Art, Craft and Science of Drafting Judgments</b></p>		
1.	Justice R. V. Raveendran, <b><i>Rendering Decisions- Basics for New Judges(Decision-Making &amp; Judgment-Writing)</i></b> in ANOMALIES IN LAW & JUSTICE: WRITINGS RELATED TO LAW & JUSTICE, EBC Publishing (P) Ltd., 319-361 (2021)	<b>338</b>
2.	Justice G. Raghuram, <b><i>Art of Judgment</i></b>	<b>362</b>
3.	Justice Sunil Ambwani, <b><i>The Art of Writing Judgment</i></b> , from the book <i>Judgments and How to Write Them</i> , S.D. Singh, Eastern Book Company, 2018	<b>372</b>
4.	S.D. Singh, <b><i>Judgments in General</i></b> , from the book <i>Judgments and How to Write Them</i> , S.D. Singh, Eastern Book Company, 2018	<b>386</b>
5.	David Neuberger, <b><i>Judgment and Judgments – The Art of forming and writing Judicial Decisions</i></b> , Denning Society Lecture delivered at Lincoln’s Inn, 30 November 2017	<b>405</b>

6.	S. I. Strong, <i>Writing Reasoned Decisions and Opinions: A Guide for Novice, Experienced, and Foreign Judges</i> , 2015(1) Journal of Dispute Resolution 93 – 128 (2015)	433
7.	S. Sivakumar , <i>Judgment Or Judicial Opinion: How To Read And Analyse</i> , Journal of the Indian Law Institute , July – September 2016, Vol. 58, No. 3 (July – September 2016), pp. 273-312	470
8.	Justice Michael Kirby CMG, <i>The Australian Law Journal on the Writing of Judgments</i>	510

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*(Judgments mentioned below include citations and short notes for reference. Please refer full judgment (available in pen drive) for conclusive opinion)*

1. **SBI & Another v. Ajay Kumar Sood**, (2022) SCC OnLine 1067 [*The judgment replicates the individuality of the judge and therefore it is indispensable that it should be written with care and caution. The reasoning in the judgment should be intelligible and logical. Clarity and precision should be the goal. All conclusions should be supported by reasons duly recorded. The findings and directions should be precise and specific. Writing judgments is an art, though it involves skillful application of law and logic.*]
2. **Aparna Bhat v. State of M.P.** (2021) SCC OnLine SC 230 [*Court to make sure survivor can rely on their impartiality and neutrality. Sensitivity in judicial approach/language/reasoning. Sensitivity to the concerns of survivors of sexual offences. Embargo on orders that reflect adversely on the judicial system/undermining the guarantee to fair justice. Removing gender bias.*]
3. **Shakuntala Shukla v. State of Uttar Pradesh**, 2021 SCC OnLine SC 672 [*“Judgment” means a judicial opinion which tells the story of the case; what the case is about; how the court is resolving the case and why. ... It is also defined as the decision or the sentence of a court in a legal proceeding along with the reasoning of a judge which leads him to his decision. ... It is not adequate that a decision is accurate, it must also be reasonable, logical and easily comprehensible. The judicial opinion is to be written in such a way that it elucidates in a convincing manner and proves the fact that the verdict is righteous and judicious. What the court says, and how it says it, is equally important as what the court decides. ... The judgment replicates the individuality of the judge and therefore it is indispensable that it should be written with care and caution. The reasoning in the judgment should be intelligible and logical. Clarity and precision should be the goal. All conclusions should be supported by reasons duly recorded.*] (Refer Para 9)
4. **Ajit Mohan v. Legislative Assembly Delhi**, 2021 SCC OnLine SC 495 [*it is the need of the hour to write clear and short judgments which the litigant can understand. The Wren & Martin principles of precis writing must be adopted.*]
5. **Surjeet Singh v. Sadhu Singh**, (2019) 2 SCC 396 [*... there was no need to cite several decisions and that too in detail. Brevity being a virtue, it must be observed as far as possible while expressing an opinion. ]*
6. **Nipun Saxena v. Union of India**, (2019) 2 SCC 703, [*Keeping in view the social object of preventing the victims or ostracising of victims, it would be appropriate that in judgments of all the courts i.e. trial courts, High Courts and the Supreme Court the name of the victim should not be indicated. This has been repeated in a large number of cases and we need not refer to all.*]
7. **Kanailal v. Ram Chandra Singh**, (2018) 13 SCC 715 [*Reasons are live links between the mind of the decision-taker to the controversy in question and the decision or conclusion arrived; Objectivity in reasons; Adjudging validity of decision; Right to reason is indispensable part of sound judicial system; Salutory requirement of natural justice]*
8. **Joint Commissioner of Income Tax v. Saheli Leasing & Industries Ltd.**, (2010) 6 SCC 384 [*State only what are germane to the facts of the case; Must have correlation with applicable law and facts; Ratio decidendi should*



*be clearly spelt out; Go through the draft thoroughly; Sustained chronology in judgment – perfect sequence of events; Citations should afford clarity rather than confusion; Pronounce judgment at the earliest]*

9. **Board of Trustees of Martyrs Memorial Trust v. Union of India**, (2012) 10 SCC 734 [*Brevity in judgment writing; Due application of mind; Clarity of reasoning; Focussed consideration; Examination of every matter with seriousness; Sustainable decision*]
10. **Reliance Airport Developers v. Airport Authority of India and Ors**, (2006) 10 SCC 1 [*Judicial Discretion – Parameters to be followed while exercising Discretion - Relevant Paras 26-35*]
11. **B (A Child)(Adequacy of Reasons)**, [2022] EWCA Civ 407 (Lord Justice Peter Jackson & Lady Justice Nicola Davies) (Relevant Paras 59 and 60) *Judgments reflect the thinking of the individual judge and there is no room for dogma, but in my view a good judgment will in its own way, at some point and as concisely as possible: state the background facts; identify the issue(s) that must be decided; articulate the legal test(s) that must be applied; note the key features of the written and oral evidence, bearing in mind that a judgment is not a summing-up in which every possibly relevant piece of evidence must be mentioned; record each party’s core case on the issues; make findings of fact about any disputed matters that are significant for the decision; evaluate the evidence as a whole, making clear why more or less weight is to be given to key features relied on by the parties; give the court’s decision, explaining why one outcome has been selected in preference to other possible outcomes.*

*The last two processes – evaluation and explanation – are the critical elements of any judgment. As the culmination of a process of reasoning, they tend to come at the end, but they are the engine that drives the decision, and as such they need the most attention. A judgment that is weighed down with superfluous citation of authority or lengthy recitation of inessential evidence at the expense of this essential reasoning may well be flawed. At the same time, a judgment that does not fairly set out a party’s case and give adequate reasons for rejecting it is bound to be vulnerable.*

**Session 5: Judge the Master of the Court : Court Management & Case Management**

1.	Justice Roshan Dalvi, <i>The Business of Court Management</i> , 16 (3) Nyaya Deep 13-35 (2015)	<b>532</b>
2.	Justice P. Sathasivam, <i>Effective District Administration and Court Management</i> , (2014) 1 SCC J-25	<b>556</b>
3.	The Woolf Report, 3 Int'l J.L. & Info. Tech. 144 (1995)	<b>569</b>
4.	Emmanuel Jeuland, “ <i>Towards a New Court Management? General Report</i> ” [Research Report] Université Paris 1 - Panthéon Sorbonne. 2018.	<b>581</b>
5.	R. Arulmozhiselvi, <i>Court and Case Management through National Judicial Data Grid (NJDG)</i> (2021)	<b>650</b>
6.	R. Arulmozhiselvi, <i>Court Management through JustIS Mobile App</i> , (2018)	<b>722</b>

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*(Judgments mentioned below include citations and short notes for reference. Please refer full judgment (available in pen drive) for conclusive opinion)*

1. **In Re: To Issue Certain Guidelines Regarding Inadequacies and Deficiencies In Criminal Trials v. The State of Andhra Pradesh & Ors.**, (2021) 10 SCC 598 [*After noticing common deficiencies which occur in the course of criminal trials and certain practices adopted by trial courts in criminal proceedings as well as in the disposal of criminal cases and causes directed all High Courts to take expeditious steps to incorporate the Draft Rules*

of Criminal Practice, 2021 as part of the rules governing criminal trials, and ensure that the existing rules, notifications, orders and practice directions are suitably modified, and promulgated (wherever necessary through the Official Gazette) within 6 months.]

2. **All India Judges’ Association v. UoI**, (2018) 17 SCC 555 [Sound infrastructure is vital for strong and stable judicial system. It is imperative for State to provide requisite infrastructure to judiciary- Poor infrastructure causes impediments in access to justice – Democracy cannot afford to undermine core values of Rule of Law. Adequacy of judicial resources/infrastructure- stages in court development, set out- necessary facilities to be part of a court complex, listed- handling of financial; and budgeting matters, enumerated- Further directions in providing court infrastructure, issues.]
3. **Hussain v. UoI**, (2017) 5 SCC 702 [Bail applications be disposed of normally within one week;] [Deprivation of personal liberty without ensuring speedy trial is not consistent with Article 21. While deprivation of personal liberty for some period may not be avoidable, period of deprivation pending trial/appeal cannot be unduly long. This Court has held that while a person in custody for a grave offence may not be released if trial is delayed, trial has to be expedited or bail has to be granted in such cases [Supreme Court Legal Aid Committee (Representing Undertrial Prisoners) v. Union of India, (1994) 6 SCC 731, para 15 : 1995 SCC (Cri) 39]Shaheen Welfare Association v. Union of India (1996) 2 SCC 616]
4. **Intiyaz Ahmed v. State of Uttar Pradesh** (2017) 3 SCC 658 [ The Supreme Court took note of the huge pendency of cases and issued certain guidelines regarding the clearing of arrears, timely disposal, pretrial custody issues, trial date certainty, etc. and suggested the application of the “unit system” which allocates different units for disposal of different cases. Such Unit system should be then applied to assess the required judge strength]
5. **Surjit Singh v. Gurwant Kaur**, (2015) 1 SCC 665 [It has been held by the Apex Court that exercise of power under Order 41 Rule 27 C.P.C. is circumscribed by limitation specified in the language of the Rule and it is duty of the Court to come to a definite conclusion that it is really necessary to accept the document as additional evidence to enable it to pronounce the judgment and in case Appellate Authority is able to pronounce the judgment with material before it without taking in to consideration the additional evidence sought to be adduced, the application for additional evidence is liable to be rejected.]
6. **Kishore Samrite v. State of Uttar Pradesh**, (2013) 2 SCC 398 [The Apex Court held that the party not approaching the court with clean hands would be liable to be non-suited and such party, who has also succeeded in polluting the stream of justice by making patently false statements, cannot claim relief specifically under Art. 136 of the Constitution. The person seeking equity must do equity. It is not just the clean hands, but also clean mind, clean heart and clean objective that are the equi-fundamentals of judicious litigation.]
7. **Rameshwari Devi v. Nirmala Devi**, (2011) 8 SCC 249 [The court laid down guidelines which the courts should adopt in preventing prolonged litigation and also cautioning courts on the grant of indiscriminate ex parte orders.]

### Session 6: ICT and E-Judiciary: Indian Perspective

1.	<b>Brief on E-Courts Project</b> , Ministry of Law and Justice, Government of India. Retrieved from: <a href="https://doj.gov.in/sites/default/files/Brief-on-eCourts-Project-(Phase-I-%26-Phase-II)-30.09.2015.pdf">https://doj.gov.in/sites/default/files/Brief-on-eCourts-Project-(Phase-I-%26-Phase-II)-30.09.2015.pdf</a>	<b>753</b>
2.	<b>Digital Courts Vision &amp; Roadmap Phase III of the eCourts Project</b> [Draft], E-Committee Supreme Court of India. Retrieved from: <a href="https://ecommitteesci.gov.in/document/draft-vision-document-for-e-courts-project-phase-iii/">https://ecommitteesci.gov.in/document/draft-vision-document-for-e-courts-project-phase-iii/</a>	<b>760</b>

3.	<i>Various initiatives of E-committee</i> , Supreme Court of India: A Compilation.	846
4.	Sandeep Bhupatiraju, Daniel L. Chen & Shareen Joshi, <i>The Promise of Machine Learning for the Courts of India, Volume 33(2) National Law School of India Review 2020</i>	858
5.	G. Mahibha and P. Balasubramanian, <i>A Critical Analysis of the Significance of the e-Courts Information Systems in Indian Courts</i> , 20 Legal Information Management, 47–53 (2020).	868
6.	Atul Kaushik, (2016), <i>Bringing the ‘E’ to Judicial Efficiency: Implementing the e-Courts System in India</i> , State of the Indian Judiciary: A report by DAKSH, Section-1, 25-40	875
7.	Justice R. C. Chavan, (2014). <i>E-Courts Project: Citizen at the Center of Court Processes</i> , Cries in Wilderness, 28- 33	893
8.	<i>Evaluation Study of eCourts Integrated Mission Mode Project</i> , National Council of Applied Economic Research, 2015. Project Commissioned by Department of Justice Ministry of Law and Justice Govt. of India Chapter 2: Methodology and Chapter 7: Overall findings and policy suggestions	899
<b>CASE LAW</b>		
<i>(Judgments mentioned below include citations and short notes for reference. Please refer full judgment (available in pen drive) for conclusive opinion)</i>		
<ol style="list-style-type: none"> <li><b><i>In Re: Guidelines For Court Functioning Through Video Conferencing During COVID-19 Pandemic</i></b>, (2020) 6 SCC 686 [Virtual Courts in the Covid-19 Pandemic - Held, every High Court is authorised to determine the modalities which are suitable to the temporary transition to the use of video conferencing technologies. All measures taken for functioning of courts in consonance with social distancing guidelines and best public health practices shall be deemed to be lawful]</li> <li><b><i>In Re. Guidelines for Court Functioning Through Video Conferencing During Covid-19 Pandemic</i></b>, (2021) 5 SCC 454 [The Video Conferencing in every High Court and within the jurisdiction of every High Court shall be conducted according to the Rules for that purpose framed by that High Court. High Courts that have not framed such Rules shall do so having regard to the circumstances prevailing in the State. Till such Rules are framed, the High Courts may adopt the model Video Conferencing Rules provided by the E-Committee, Supreme Court of India to all the Chief Justices of the High Court.]</li> <li><b><i>In Re: Children in Street Situations</i></b>, 2022 SCC OnLine SC 189 [Standard Operating Procedure for recording evidence of children through video conferencing to be followed in all criminal trials where child witnesses, not residing near Court Points, are examined and not physically in the courts where the trial is conducted. Remote Point Coordinators to ensure that child-friendly practices are adopted during the examination of the witnesses.]</li> <li><b><i>Arnab Manoranjan Goswami v. The State of Maharashtra</i></b>, (2021) 2 SCC 427 [The NJDG is a valuable resource for all High Courts to monitor the pendency and disposal of cases, including criminal cases. For Chief Justices of the High Courts, the information which is available is capable of being utilized as a valuable instrument to promote access to justice, particularly in matters concerning liberty. The Chief Justices of every High Court should in their administrative capacities utilize the ICT tools which are placed</li> </ol>		

*at their disposal in ensuring that access to justice is democratized and equitably allocated. Administrative judges in charge of districts must also use the facility to engage with the District judiciary and monitor pendency.]*

5. ***Swapnil Tripathi v. Supreme Court of India***, (2018) 10 SCC 639 [*Directions regarding Livestreaming of court proceedings - Held, virtual access of live court proceedings will effectuate the right of access to justice or right to open justice and public trial, right to know the developments of law and including the right of justice at the doorstep of the litigants., live streaming of court proceedings in the prescribed digital format would be an affirmation of the constitutional rights bestowed upon the public and the litigants in particular. Sensitive cases, matrimonial matters, matters relating to children not to be livestreamed. Discretion of the judge to disallow live-streaming for specific cases where publicity would prejudice the interests of justice.*]
6. ***Pradyuman Bisht v. Union of India***, (2018) 15 SCC 433 [*Directions for installation of CCTV Cameras in court complexes*]