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ELEMENTS OF JUDICIAL BEHAVIOUR: ETHICS, NEUTRALITY AND PROFESSIONALISM		
1.	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., (2021) pp. 277-317.	1
2.	Lord Denning, “ <i>Into the Conduct of Judges</i> ” in THE DUE PROCESS OF LAW, Oxford University Press (2012), pp. 58-66.	44
3.	R. C. Lahoti, <i>Canons of Judicial Ethics</i> , NJA Occasional Paper Series No. 5, National Judicial Academy, Bhopal, India.	55
4.	Charles Gardner Geyh , <i>The Architecture of Judicial Ethics</i> , 169 University of Pennsylvania Law Review 2351 (2021).	93
5.	Supreme Court of India, “ <i>Handbook on Combating Gender Stereotypes</i> ” (2023).	142
<u>Additional Reading:</u>		
<ul style="list-style-type: none"> • <i>The Bangalore Principles of Judicial Conduct</i>, (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.) https://www.unodc.org/pdf/crime/corruption/judicial_group/Bangalore_principles.pdf • <i>Restatement of Values of Judicial Life, 1999</i> [As adopted by Full Court Meeting of the Supreme Court of India on 7th May, 1997]. https://main.sci.gov.in/pdf/Notice/02112020_090821.pdf 		
CASE LAW		
(Judgments mentioned below include citations and short notes for reference only. Refer full judgment for conclusive opinion)		
<ol style="list-style-type: none"> 1. <i>SBI & Another v. Ajay Kumar Sood</i>, (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. <i>Aparna Bhat v. State of M.P.</i> (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.

CASE LAW ON ETHICS, NEUTRALITY AND PROFESSIONALISM

(Judgments mentioned below include citations and short notes for reference only. Refer full judgment 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. **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*]
14. **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.]*
15. **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 judicial duties, nor should he administer the office for the purpose of advancing his personal ambitions or increasing his popularity.]

16. **Rajesh Kohli vs. High Court of J. and K. and Anr.** (2010)12SCC783 [*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.*]

SESSION 2

ART, CRAFT AND SCIENCE OF WRITING JUDGMENTS

1.	Justice R. V. Raveendran, Rendering Decisions- Basics for New Judges (Decision-Making & Judgment-Writing) in ANOMALIES IN LAW & JUSTICE: WRITINGS RELATED TO LAW & JUSTICE, 319 (EBC Publishing (P) Ltd.,2021)	173
2.	David Neuberger, Judgment and Judgments – The Art of Forming and Writing Judicial Decisions , (Denning Society Lecture, Lincoln’s Inn, 30 November 2017)	197
3.	Justice Roslyn Atkinson, Judgment Writing (AIJA Conference, Brisbane, 13 September 2002)	225
4.	Lord Denning, Plain English in ‘THE CLOSING CHAPTER’56 (Oxford University Press,2011)	235
5.	Michael Kirby, 'On the Writing of Judgments' 64(11) Australian Law Journal 691 (1990)	247
6.	Dr. Amit Mehrotra, The Role of a Judge in the Justice Delivery System , in The Judges Essays in Honor of Dr Balram K Gupta, Law & Justice Publishing Co. 2025.	295

JUDGMENTS & ORDERS

(Judgments mentioned below include citations only. Please refer full judgment for conclusive opinion)

1. *B.S. Hari v. Union of India, 2023 SCC OnLine SC 413*
2. *SBI v. Ajay Kumar Sood, (2023) 7 SCC 282*
3. *Shakuntala Shukla v. State of Uttar Pradesh, 2021 SCC OnLine SC 672*
4. *Ajit Mohan v. Legislative Assembly Delhi, 2021 SCC OnLine SC 495*
5. *Patan Jamal Vali v. State of A.P., 2021 SCC OnLine SC 343*
6. *Aparna Bhat v. State of M.P., 2021 SCC OnLine SC 230*
7. *U.P.S.C. v. Bibhu Prasad Sarangi and Others (2021) 4 SCC 516*
8. *Surjeet Singh v. Sadhu Singh, (2019) 2 SCC 396*
9. *Nipun Saxena v. Union of India, (2019) 2 SCC 703*

10. *Kanailal v. Ram Chandra Singh*, (2018) 13 SCC 715
11. *State of Gujarat v. R.A. Mehta*, (2013) 3 SCC 1
12. *Board of Trustees of Martyrs Memorial Trust v. Union of India*, (2012) 10 SCC 734
13. *CIT v. Saheli Leasing & Industries Ltd.*, (2010) 6 SCC 384
14. *Reliance Airport Developers v. Airport Authority of India and Ors*, (2006) 10 SCC 1
15. *B (A Child)(Adequacy of Reasons)*, [2022] EWCA Civ 407

SESSION 3
DEVELOPING EFFICIENT JUDICIAL SYSTEM:
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1.	Justice R.V. Reaveendran, <i>Justice Delivery – Some Challenges and Solutions</i> , 2022 8 SCC (J-1)	307
2.	Justice R. Banumathi, <i>Judiciary, Judges and The Administration of Judges</i> , 181-192 (Thompson Reuters 2020)	358
3.	Abhishek Singhvi, <i>Beating the Backlog - Reforms in Administration of Justice in India</i> in JUDICIAL REVIEW PROCESS, POWERS AND PROBLEMS 46-59 (Salman Khurshid, Sidharth Luthra, Lokendra Malik & Shruti Bedi, Cambridge University Press ed., 2020)	370
4.	Richard Susskind, <i>The Future of Courts</i> , 6(5) Remote Courts 1-16 (2020)	385
5.	Dory Reiling and Francesco Contini, <i>E-Justice Platforms: Challenges for Judicial Governance</i> , 13(1) International Journal for Court Administration 1-18 (2022)	402
6.	Supreme Court E-Committee Documents: - <i>The Milestones of e-Committee</i> , Supreme Court Of India (2021) - <i>Various initiatives of e-committee</i> , Supreme Court of India: A Compilation - <i>Digital Courts Vision & Roadmap</i>	421 450 462

JUDGMENTS

(Judgments mentioned below include citations and short notes for reference only. Refer full judgment for conclusive opinion)

1. ***In Re: Children in Street Situations***, 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.*]
2. ***In Re. Guidelines for Court Functioning Through Video Conferencing During Covid-19 Pandemic***, (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 eCommittee, Supreme Court of India to all the Chief Justices of the High Court.]

3. **Arnab Manoranjan Goswami v. The State of Maharashtra**, (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 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.]
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. **Imtiyaz 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.]
8. **State of Maharashtra and P.C. Singh v. Praful B. Desai**, (2003) 4 SCC 601

Recent Judgements on use of Information & Communication Technology in Courts

9. **CCE & Service Tax v. Bilfinder Neo Structo Construction Ltd.**, (2024) 7 SCC 59 [ensuring that litigation involving the Union of India and the Tribunals constituted under revenue legislation, is duly monitored so as to provide seamless integration at all stages by adopting Information and Communication Technology (ICT).]
10. **Sarvesh Mathur v. High Court of Punjab & Haryana**, 2023 SCC OnLine SC 1293
11. **Pradyuman Bisht vs. Union of India and Others**, 2023 SCC OnLine SC 983
12. **Jitendra Kumar Rode v. Union of India**, 2023 SCC OnLine SC 485
13. **Sanket Kumar Agarwal & Anr v. APG Logistics Private Limited**, 2023 INSC 727
14. **XXXX v YYYY and Other**, 2022 SCC OnLine SC 1123
15. **Swapnil Tripathi v. Supreme Court of India**, (2018) 10 SCC 639
16. **Pradyuman Bisht v. Union of India**, (2018) 15 SCC 639

SESSION 4

JUVENILE JUSTICE INTERNATIONAL AND INDIAN PERSPECTIVES

1.	JUVENILE JUSTICE SYSTEM: MANUAL FOR STAKE HOLDERS by Vijay Hansaria & Sana Siddiqui, Legal Assistance Forum in association with UNICEF, Mohan Law House Pvt. Ltd., 3 rd Ed. 2022 (excerpts): <ul style="list-style-type: none"> - General Principles of Care and Protection of Children, pp. 5-15, (Chapter 1) - Special Features of Juvenile Justice System, pp. 17-22, (Chapter 2) - Children’s Court, pp. 105-116, (Chapter 6) 	<p>549</p> <p>561</p> <p>567</p>
2.	LAW RELATING TO JUVENILE JUSTICE IN INDIA by RN Choudhry, Orient Publishing Company, 3 rd ed. 2009 (excerpt) <ul style="list-style-type: none"> - Juvenile Justice in India – An Introduction, pp. 9-19 - United Nations Organisations on Juvenile Justice, pp. 27-36 	<p>579</p> <p>592</p>
3.	Bail is a Right: Section 12, Juvenile Justice (Care and Protection of Children) Act 2015 , Bail Toolkit, Published by Center for Child and the Law, NLSIU, 2024	604
4.	Shailesh Kumar, Shifting Epistemology of Juvenile Justice in India , Contexto Internacional, vol. 41(1) Jan/Apr 2019	616

5.	<p>Leading Cases in JUVENILE JUSTICE SYSTEM: MANUAL FOR STAKE HOLDERS by Vijay Hansaria & Sana Siddiqui, Legal Assistance Forum in association with UNICEF, Mohan Law House Pvt. Ltd., 3rd Ed. 2022, pp.245-272</p> <ul style="list-style-type: none"> - <i>Devilal v. State of Madhya Pradesh</i>, (2021) 5 SCC 292 - <i>Shilpa Mittal v. State of NCT of Delhi</i>, (2020) 2 SCC 787 - <i>National Commission for Protection of Child Rights v. Rajesh Kumar</i>, (2020) 17 SCC 377 - <i>Pawan Kumar Gupta v. State of NCT of Delhi</i>, (2020) 2 SCC 803 - <i>Sampurna Behura v. Union of India</i>, (2018) 4 SCC 433 - <i>Exploitation of Children in Orphanages, In re</i>, (2017) 7 SCC 578 - <i>Mukarrab v. State of U.P.</i>, (2017) 2 SCC 210 - <i>Parag Bhati v. State of U.P.</i>, (2016) 12 SCC 744 - <i>Abdul Razzaq v. State of U.P.</i>, (2015) 15 SCC 637 - <i>Mumtaz v. State of U.P.</i>, (2016) 11 SCC 786 - <i>State of M.P. v. Anoop Singh</i>, (2015) 7 SCC 773 - <i>Jarnail Singh v. State of Haryana</i>, (2013) 7 SCC 263 - <i>Mahadeo v. State of Maharashtra</i>, (2013) 14 SCC 637 - <i>Subramaniam Swamy v. Raju</i>, (2014) 8 SCC 390 - <i>Shabnam Hashmi v. Union of India</i>, (2014) 4 SCC 1. - <i>Salil Bali v. Union of India</i>, (2013) 7 SCC 705 - <i>Jitendra Singh v. State of Uttar Pradesh</i>, (2013) 11 SCC 193. - <i>Abuzar Hossain v. State of W.B.</i>, (2012) 10 SCC 489 - <i>Ashwani Kumar Saxena v. State of M.P.</i>, (2012) 9 SCC 750 - <i>Bachpan Bachao Andolan v. Union of India</i>, (2011) 5 SCC 1 - <i>Vikas Chaudhary v. State (NCT of Delhi)</i>, (2010) 8 SCC 5 - <i>Hari Ram v. State of Rajasthan</i>, (2009) 13 SCC 211 - <i>Eerati Laxman v. State of A.P.</i>, (2009) 3 SCC 337 - <i>Pratap Singh v. State of Jharkhand</i>, (2005) 3 SCC 551 - <i>Sheela Barse v. Union of India</i>, (1988) 4 SCC 226 	643
<p>Additional Reading:</p> <ul style="list-style-type: none"> - <i>Justice in Matters Involving Children in Conflict with the Law: Model Law on Juvenile Justice and Related Commentary</i>, UNODC 2013 		
<p>RECENT JUDGMENTS</p> <p><i>(Judgments mentioned below include citations for reference only. Refer full judgment for conclusive opinion)</i></p>		
<ol style="list-style-type: none"> 1. <i>Child in Conflict with Law v. State of Karnataka</i>, 2024 SCC OnLine SC 798 2. <i>Rahul Kumar Yadav v. State of Bihar</i>, 2024 SCC Online SC 723 3. <i>Makkella Nagaiah v. State of Andhra Pradesh</i>, (2023) 9 SCC 807 		

4. *Pawan Kumar v. State of Uttar Pradesh*, 2023 INSC 1012
5. *Narayan Chetanram Chaudhary v. State of Maharashtra*, 2023 SCC OnLine SC 340
6. *Ajeet Gurjar V. The State of Madhya Pradesh*, (2023) 15 SCC 678
7. *Karan @ Fatiya vs State of Madhya Pradesh*, (2023) 5 SCC 504
8. *In Re Contagion of COVID-19 virus in Children’s Protection Homes (2020)*
9. *Essa @ Anjum Abdul Razak Memon v. State of Maharashtra Through STF, CBI Mumbai*, (2013) 13 SCC 1
10. *Commonwealth Human Right Initiative v. State of West Bengal*, 2013 SCC Online Cal 577

SESSION 5
JUDICIAL INTERVENTION TO COMBAT MONEY LAUNDERING

1.	K.N. Chandrasekharan Pillai, <i>The Prevention Of Money Laundering Act, 2002 in PREVENTION OF MONEY LAUNDERING – LEGAL AND FINANCIAL ISSUES</i> pp. 79-88 (Indian Law Institute,2008)	673
2.	Aseem Chawla, <i>Prevention of Money Laundering: A Global Panorama</i> , 5(7) The Chamber's Journal 22-29 (2017)	683
3.	Shruti Bedi, <i>Bail Under Prevention of Money Laundering Act, 2002: A Critical Analysis of Nikesh Tarachand Shah Judgment in TAKING BAIL SERIOUSLY THE STATE OF BAIL JURISPRUDENCE IN INDIA</i> 427-38 (Salman Khurshid, Sidharth Luthra, Lokendra Malik & Shruti Bedi, Lexis Nexis ed., 2020).	691
4.	Jojarth, Christine, “ <i>Money Laundering: Motives, Methods, Impact, and Countermeasures.</i> ” in TRANSNATIONAL ORGANIZED CRIME: ANALYSES OF A GLOBAL CHALLENGE TO DEMOCRACY, (Heinrich-Böll-Stiftung and Regine Schönenberg Ed.), Transcript Verlag, 2013, pp. 17–34. JSTOR, http://www.jstor.org/stable/j.ctv1fxh0d.5 . Accessed 22 Mar. 2024.	703

Additional Reading:

- INTERNATIONAL STANDARDS ON COMBATING MONEY LAUNDERING AND THE FINANCING OF TERRORISM & PROLIFERATION (FATF RECOMMENDATIONS) MARCH, 2022
- United Nations Office on Drugs and Crime, MONEY LAUNDERING AND THE FINANCING OF TERRORISM: THE UNITED NATIONS RESPONSE

JUDGMENTS

(Judgments mentioned below include citations for reference only. Refer full judgment for conclusive opinion)

1. *Directorate of Enforcement v. Bibhu Prasad Acharya*, (2025) 1 SCC 404
2. *Humayun Suleman Merchant v. ED, SLP (Clr) 4321 of 2024*
3. *Manish Sisodia v. ED*, 2024 INSC 595
4. *Partha Chatterjee v. Directorate of Enforcement*, 2024 SCC OnLine SC 3729
5. *Parvinder Singh Khurana v. ED*, 2024 INSC 546

6. *Abhishek Banerjee v. Directorate of Enforcement*, AIR 2024 SC 439
7. *Prem Prakash v. Union of India*, AIR 2024 SC 4286
8. *Kalvakuntla Kavitha v. Directorate of Enforcement*, AIR 2024 SC 4247
9. *Arvind Kejriwal v. Directorate of Enforcement*, 2024 SCC OnLine SC 1703
10. *Tarsem Lal v. Directorate of Enforcement*, AIR 2024 SC 2512
11. *Prabir Purkayastha v. State (NCT of Delhi)*, AIR 2024 SC 2967
12. *Ram Kishor Arora v. Directorate of Enforcement*, 2023 INSC 1082
13. *Pavana Dibbur v. Directorate of Enforcement*, 2023 INSC 1029
14. *Pankaj Bansal v. Union of India*, 2023 SCC OnLine SC 1244
15. *Y. Balaji v. Karthik Desari*, 2023 SCC OnLine SC 645
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17. *Directorate of Enforcement v. Aditya Tripathi*, 2023 SCC OnLine SC 619
18. *K.A. Rauf Sherif v. Enforcement Directorate*, (2023) 6 SCC 92
19. *V. Senthil Balaji v. State*, 2023 SCC OnLine SC 934
20. *Rana Ayyub v. Directorate of Enforcement*, (2023) 4 SCC 357
21. *Jaya Thakur v. Union of India*, (2023) 10 SCC 276
22. *Directorate of Enforcement v. M. Gopal Reddy*, 2022 SCC OnLine SC 1862
23. *Parvathi Kollur v. State*, 2022 SCC OnLine SC 1975
24. *Vijay Madanlal Choudhary v. Union of India*, 2022 SCC Online 929
25. *Directorate of Enforcement v. Padmanabhan Kishore*, 2022 SCC Online SC 1490
26. *Union of India v. Ganpati Dealcom*, 2022 SCC OnLine SC 1064
27. *Karti P. Chidambaram v Directorate of Enforcement*, 2022 SCC Online SC 1084
28. *The Asst. Director Enforcement Directorate v. Dr. V.C. Mohan*, 2022 SCC OnLine SC 452
29. *Ms. Y. v. State of Rajasthan and Another*, Criminal Appeal No. 649 of 2022, Order Dated 19.04.2022 (Supreme Court of India)
30. *M/s Kaushalya Infrastructure Development Corporation Limited v. Union of India and Another*, 2022 SCC OnLine SC 531
31. *Opto Circuit India Limited v. Axis Bank and Others*, (2021) 6 SCC 707
32. *Ramesh Bhavan Rathod v. Vishanbhai Hirabhai Makwana Makwana (Koli) & Anr.*, AIR 2021 SC 2011
33. *Satender Kumar Antil v. CBI and Another*, (2021) 10 SCC 773
34. *P. Chidambaram v. Directorate of Enforcement*, (2020) 13 SCC 791
35. *Sushila Aggarwal and Others v. State (NCT of Delhi) and Another*, (2020) 5 SCC 1
36. *P. Chidambaram v. Directorate of Enforcement*, (2019) 9 SCC 24
37. *Nikesh Tarachand Shah v. Union of India and Another*, (2018) 11 SCC 1
38. *Rohit Tandon v. The Enforcement Directorate*, (2018) 11 SCC 46
39. *Ashok Munilal Jain and Another v. Assistant Director, Directorate of Enforcement*, (2018) 16 SCC 158
40. *Gautam Kundu v. Directorate of Enforcement (Prevention of Money Laundering Act), Government of India*, (2015) 16 SCC 1
41. *Subrata Chatteraj and Another v. Union of India and others*, (2014) 8 SCC 768
42. *Binod Kumar v. State of Jharkhand and Others*, (2011) 11 SCC 463
43. *Union of India v. Hassan Ali Khan and Another*, (2011) 10 SCC 235

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44. *Mahender Kumar Khandelwal v. Directorate of Enforcement & Anr.*, 2024 SCC OnLine Del 645

45. *Hari Om Rai v. Enforcement Directorate*, 2024 SCC OnLine Del 1025
46. *Neeraj Singal v. Enforcement Directorate*, 2024 SCC OnLine Del 64
47. *Kewal Krishan Kumar v. Directorate of Enforcement*, 2023 SCC OnLine Del 1547
48. *Harish Fabiani v. Directorate of Enforcement*, 2022 SCC OnLine Del 3121
49. *Rajeev Sharma v. Directorate of Enforcement*, 2022 SCC OnLine Del 47
50. *Directorate of Enforcement v. Kamma Srinivasa Rao*, 2022 SCC OnLine TS 3410
51. *Abhishek Banerjee v. Directorate of Enforcement*, 2022 SCC OnLine Del 747
52. *Rajiv Chakraborty Resolution Professional of EIEL v. Directorate of Enforcement*, 2022 SCC Online Del 3703
53. *Rashmi Metaliks Ltd. v. Directorate of Enforcement*, 2022 SCC OnLine Cal 2316
54. *Ramsarup Industries Ltd. v. Union of India*, 2022 SCC OnLine Cal 2571
55. *Prakash Industries Ltd. v. Directorate of Enforcement*, 2022 SCC OnLine Del 2087
56. *Ajay Kumar v. Directorate of Enforcement, Through the Assistant Director*, 2022 SCC OnLine Bom 196
57. *Babu Lal Verma and Another v. Enforcement Directorate and Another*, 2021 SCC OnLine Bom 392
58. *J K Tyre And Industries Ltd v. Directorate of Enforcement*, 2021 SCC OnLine Del 4836
59. *Nitin Jain Liquidator PSL Limited v. Enforcement Directorate*, 2021 SCC OnLine Del 5281
60. *Amarendradhari Singh v. Directorate of Enforcement*, 2021 SCC OnLine Del 3901
61. *Sai Chandrasekhar v. Directorate of Enforcement*, 2021 SCC OnLine Del 1081
62. *Prakash Gurbaxani v. Directorate of Enforcement*, 2021 (3)RCR(Criminal) 220
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64. *Seema Garg v. Deputy Director, Directorate of Enforcement*, 2020 SCC OnLine P&H 738
65. *Dr. Shivinder Mohan Singh v. Directorate of Enforcement*, 2020 SCC OnLine Del 766
66. *Deputy Director Directorate of Enforcement, Delhi v. Axis Bank*, 2019 SCC OnLine Del 7854
67. *Directorate of Enforcement v. Abdullah Ali Balsharaf and Others*, 2019 SCC OnLine Del 7942
68. *VGN Developers P. Ltd. and Another v. Deputy Director, Directorate of Enforcement*, 2019 SCC OnLine Mad 13270
69. *Upendra Rai v. Enforcement Directorate*, 2019 SCC OnLine Del 9086
70. *Sameer Magan Bhujbal v. Assistant Director, Directorate of Enforcement and Others*, 2019 SCC OnLine Bom 7574
71. *J. Sekar v. Union of India*, 246 (2018) DLT 610
72. *Kavitha G. Pillai v. The Joint Director, Director of Enforcement, Government of India*, 2018 Cri LJ 1110
73. *Virbhadra Singh v. Enforcement Directorate and Ors.*, 2017 SCC OnLine Del 8930
74. *Yogesh Mittal v. Enforcement Directorate*, 2017 SCC OnLine Del 10364
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76. *Gorav Kathuria v. Union of India*, (2017) 348 ELT 24
77. *Shibamoy Dutta v. Manoj Kumar*, 2016 SCC OnLine Cal 62
78. *Chhagan Chandrakant Bhujbal v. Union of India*, 2016 SCC OnLine Bom 9938
79. *Dalmia Cement (Bharat) Limited v. Assistant Director of Enforcement Directorate*, (2016) 3 ALT 189
80. *M/s. Mahanivesh Oils & Foods Pvt. Ltd. v. Directorate of Enforcement*, AIR 2016 Del 54
81. *Smt. K. Sowbaghya v. Union of India and Others*, 2016 SCC OnLine Kar 282
82. *A.K. Samsuddin v. Union of India*, 2016 SCC Online Ker 24144
83. *Arun Kumar Mishra v. Directorate of Enforcement*, 2015 SCC OnLine Del 8658

84. *Bhanu Pratap Shahi v. the State of Jharkhand*, 2014 SCC OnLine Jhar 1153
 85. *Shiv Kant Tripathi v. State of U.P. and Ors*, 2013 SCC OnLine All 5963
 86. *Alive Hospitality & Food Private Limited v. Union of India*, 2013 SCC Online Guj 3909
 87. *M. Shobana v. The Assistant Director*, 2013 SCC Online Mad 2961
 88. *B. Rama Raju v. Union of India and Others*, 2011 SCC OnLine AP 152
 89. *Suryanayaran Prabhakara Gupta v. Union of India*, 2011 SCC Online AP 463
 90. *Radha Mohan Lakhotia, v. Deputy Director, PMLA, Directorate of Enforcement, Ministry of Finance, Department of Revenue*, 2010 SCC OnLine Bom 1116
 91. *Deepak Virendra Kochhar v. Directorate of Enforcement, Criminal Bail Application Number 1322 of 2020, Order Dated 25.03.2021 (Bombay High Court)*

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(Judgments mentioned below include citations and short notes for reference.

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1. ***Centre for Environmental Law WWF 1 v. Union of India***, Writ Petition(s)(Civil) No(s).337/1995; Order Dated: 28.01.2020 (Supreme Court) [*The Supreme Court held that it is not desirable that the introduction of the African Cheetahs into India be left to the sole discretion of the National Tiger Conservation Authority (NTCA). NTCA be guided and directed by the Committee of Experts in the field who would carry out the survey for the best location for introducing the African Cheetahs in India and take a careful decision about the viability of introducing this animal on a larger scale*]
2. ***Municipal Corporation of Greater Mumbai v. Worli Koliwada Nakhwa Matsya Vyavasay Sahakari Society Ltd and Others*** Petition(s) for Special Leave to Appeal (C) No(s).17471-17476/2019; Order Dated: 30-09-2022 (Supreme Court) [The Supreme Court observed that it is wrong to ask developing countries to halt projects citing climate change]
3. ***Pahwa Plastics Pvt. Ltd. v. Dastak NGO***, 2022 SCC OnLine SC 362 [The 1986 Act does not prohibit Ex post facto Environmental Clearance (EC), however, it should not be granted routinely, but in exceptional circumstances taking into account all relevant environmental factors. Where the adverse consequences of denial of Ex post facto approval outweigh the consequences of regularization of operations by grant of Ex post facto approval, and the establishment concerned otherwise conforms to the requisite pollution norms, Ex post facto approval should be given in accordance with law, in strict conformity with the applicable Rules, Regulations and/or Notifications. The deviant industry may be penalised by an imposition of heavy penalty on the principle of 'polluter pays' and the cost of restoration of environment may be recovered from it. An establishment contributing to the economy of the country and providing livelihood ought not to be closed down only on the ground of the technical irregularity of not obtaining prior Environmental Clearance irrespective of whether or not the unit actually causes pollution]
4. ***In Re : TN Godavarman Thirumalpad v. Union of India***, 2022 LiveLaw (SC) 540 [*Guidelines issued by the Union Ministry for Ecologically Sensitive Zones (ESZ) near protected forests held to be reasonable. Further directions issued in relation to ESZ -No new permanent structure shall be permitted to come up for whatsoever purpose within the ESZ. Mining within the national parks and wildlife sanctuaries shall not be permitted. The court further held that Public Trust Doctrine is part of the law of land. The role of the State cannot be confined to that of a facilitator or generator of economic activities for immediate upliftment of the fortunes of the State. The State also has to act as a trustee for the benefit of the general public in relation to the natural resources so that sustainable development can be achieved in the long term. Such role of the State is more relevant today, than, possibly, at any point of time in history with the threat of climate catastrophe resulting from global warming looming large*]
5. ***T.N. Godavarman Thirumalpad v. Union of India***, 2022 LiveLaw (SC) 467 [*Adherence to the principle of*

sustainable development is a constitutional requirement and the Precautionary Principle is an essential feature of the principle of 'Sustainable Development'. In case of a doubt, protection of environment would have precedence over the economic interest]

6. **Binay Kumar Dalei v. State of Odisha**, (2022) 5 SCC 33 [*The Supreme Court upheld the decision of NGT directing that mining activity shall not be permitted within and in the vicinity of Simplipal - Hadagarh - Kuldiha – Simplipal elephant corridor*]
7. **Samaj Parivarthana Samudaya v. State of Karnataka**, 2022 SCC OnLine SC 1104 [*The Supreme Court lifted curbs on iron sale and export from mines in Karnataka and relaxes the directions issued in 2011*]
8. **Madhya Pradesh High Court Advocates Bar Association v. Union of India**, 2022 SCC OnLine SC 639 [*The role of the NGT was not simply adjudicatory, but it also had the equally vital role which is preventive, ameliorative, or of the remedial category. The Court further held that NGT under Section 14 & 22 of the NGT Act does not oust the High Court's jurisdiction under Article 226 & 227 as the same is a part of the basic structure of the Constitution*]
9. **Kantha Vibhag Yuva Koli Samaj Parivartan Trust v. State of Gujarat**, 2022 SCC OnLine SC 120 [*NGT cannot refuse to hear a challenge to an Environmental Clearance under Section 16(h) of the NGT Act and delegate the process of adjudicating on compliance to an expert committee*]
10. **Narinder Singh and Others v. Divesh Bhutani and Others** 2022 SCC OnLine SC 899 [*The Supreme Court held that prior permission of the Central Government is required to allow any change of user of forest or deemed forest land*]
11. **D. Swamy v. Karnataka State Pollution Control Board**, 2022 SCC OnLine SC 1278 [*The Supreme Court reiterated that the grant of ex post facto environmental clearance in exceptional cases is not impermissible*]
12. **Electrosteel Steels Ltd. v. Union of India**, 2021 SCC OnLine SC 1247 [*The question was whether an establishment contributing to the economy of the country and providing livelihood to hundreds of people should be closed down for the technical irregularity of shifting its site without prior environmental clearance, without opportunity to the establishment to regularize its operation by obtaining the requisite clearances and permissions, even though the establishment may not otherwise be violating pollution laws, or the pollution, if any, can conveniently and effectively be checked. The answer was held to be in the negative*]
13. **Municipal Corporation of Greater Mumbai v. Ankita Sinha and Others**, 2021 SCC OnLine SC 897 [*NGT is not merely an adjudicatory forum; Inquisitorial functions are also available with it to protect environment*]
14. **Himachal Bus Stand Management Authority v. Central Empowered Committee & Others**, (2021) 4 SCC 309 [*The environmental rule of law seeks to create essential tools – conceptual, procedural and institutional to bring structure to the discourse on environmental protection. It does so to enhance our understanding of environmental challenges – of how they have been shaped by humanity's interface with nature in the past, how they continue to be affected by its engagement with nature in the present and the prospects for the future, if we were not to radically alter the course of destruction which humanity's actions have charted.]*
15. **Hospitality Association of Mudumalai v. In Defence of Environment and Animals and Others**, (2020) 10 SCC 589 [*It was held that the State Government is empowered to take measures to protect forests and wildlife falling within its territory in light of Entries 17A 'Forest' and 17B 'Protection of wild animals and birds' in the concurrent list and the power of the State Government under the Wildlife Act to notify Sanctuaries and other protected areas. Therefore, State Government was empowered to protect the habitats situated on a private land by notifying an elephant corridor*]
16. **Animal Welfare Board of India v. A. Nagaraja and Others**, (2014) 7 SCC 547 [*The Supreme Court held that*

Jallikattu is not an exception under the Protection of Animals from Cruelty Act on the account of human necessities since the pain, suffering and anxiety inflicted to bulls during Jallikattu events is primarily for the pleasure of humans and can be easily avoided]

17. **Centre For Environmental Law WWF-India v. Union of India**, (2013) 8 SCC 234 [*The Court struck down an order of the Ministry of Environment, Forest & Climate Change to introduce the African Cheetahs in Kuno in Madhya Pradesh on the ground that they had not conducted any detailed study before passing the order of introducing 'foreign species' to the territory of India]*
18. **Sansar Chand v. State of Rajasthan**, (2010) 10 SCC 604 [*The Court issued directions to Central and State Governments and their agencies to make all efforts to preserve the wild life of the country and take stringent actions against those who are violating the provisions of the Wildlife (Protection) Act, as this is necessary for maintaining the ecological balance in the country]*
19. **Intellectuals Forum, Tirupathi v. State of A.P.**, (2006) 3 SCC 549 [*The Court upheld a ban on the construction of tanks and new wells in an area suffering water shortage. The Court directed the adoption of rainwater harvesting and monitoring its efficacy]*
20. **Karnataka Industrial Areas Development Board v. Sri. C. Kenchappa and Others**, (2006) 6 SCC 371 [*The Supreme Court dealt with the principles of sustainable development, polluter pays, precautionary principle, public trust doctrine, also emphasized on the requirement of carrying on an impact assessment and obtaining necessary clearance from the State Pollution Control Board and the Department of Ecology and Environment before execution of an industrial activity]*
21. **Research Foundation for Science v. Union of India**, (2005) 13 SCC 186 [*The polluter pay principle basically means that the producer of goods and other items should be responsible for the cost of preventing or dealing with any pollution that the process causes. The principle also does not mean that the polluter can pollute and pay for it.]*
22. **Indian Handicrafts Emporium v. Union of India**, (2003) 7 SCC 589 [*The Supreme Court held that trade in ivory is totally prohibited under Chapter II-A of the Wildlife Protection Act, 1972 and any person who has obtained a certificate from the Chief Wild life Warden (CWW) may keep possession of such product but cannot sell it further. Such restriction was held to be 'reasonable' under Article 19(1)(g)]*
23. **M. C. Mehta v. Union of India**, (2002) 4 SCC 356 (Vehicular Pollution Case) [*A four member committee, comprising of a retired Supreme Court judge was formed to recommend measures to control vehicular pollution nationwide. Orders were passed for the supply of lead-free petrol and use of natural gas and other fuels as substitutes for conventional fuels and also carried out]*
24. **Andhra Pradesh Pollution Control Board II v. M.V. Nayudu**, (2001) 2 SCC 62 [*The Court held that in the environmental field, where the uncertainty of scientific opinions have created serious problems for the courts. Uncertainty becomes a problem when scientific knowledge is institutionalized in policy-making by agencies and courts]*
25. **Hinch Lal Tiwari v. Kamala Devi**, (2001) 6 SCC 496 [*The Supreme Court held that the government and other authorities had noticed that a pond was falling in disuse and, therefore, should have bestowed their attention to develop the same. Such an effort would, on one hand, have prevented ecological disaster and on the other, provided better environment for the benefit of the public at large]*
26. **State of Karnataka v. K. Krishnan**, (2000) 7 SCC 80 [*Chapter VI of the Wildlife Protection Act, 1972 makes provision for control of timber and other forest produce in transit. The authorised officer has the power to seize any forest produce together with all tools, boats, vehicles or cattle or any other property used in*

connection with the commission of an offence in respect of any forest produce. As authorised officer has also the power to release the property seized under Section 62, all timber or forest produce, which is not the property of the Government and in respect of which a forest offence has been committed and all tools, boats, vehicles and cattle used in committing any forest offence are liable to forfeiture by the State Government subject to the provisions of Section 71-G of the Act]

27. **Narmada Bachao Andolan v. Union of India**, (2000) 10 SCC 664 [The Court held that when there is a state of uncertainty due to lack of data or material about the extent of damage or pollution likely to be caused, then, in order to maintain the ecological balance, the burden of proof.....must necessarily be on the industry or unit which is likely to cause pollution. On the other hand where the effect on ecology or environment of setting up an industry is known, what has to be seen is that if the environment is likely to suffer, then what mitigating steps can be taken to offset the same. Merely because there will be a change is no reason to presume that there will be ecological disaster. It is when the effect of the project is known that the principle of sustainable development would come into play, which will ensure that mitigating steps are and can be taken to preserve the ecological balance]
28. **M.I. Builders Pvt. Ltd. v. Radhey Shyam Sahu**, (1999) 6 SCC 464 [The Supreme Court applied the doctrine of Public Trust when it found that the Lucknow mahapalika entered into a contract with the petitioners for constructing an underground shopping complex beneath a park. The court held that the contract was without tender and also against the public trust doctrine, as the mahapalika had deprived themselves of their obligatory duties as a trustee to maintain parks.]
29. **Centre For Environmental Law WWF-I v. Union of India**, (1998) 6 SCC 483 [The Court suo motu gave the directions to 17 States to comply with the provisions under Sec 33-A and Sec 34 of WPA, 1972]
30. **T.N. Godavarman Thirumulpad v. Union of India and Others**, (1997) 2 SCC 267 [A petition to protect the deforestation of the forest by illegal timber operations in a forest was expanded by the Supreme Court to create its own monitoring and implementation system at regional and state levels to regulate the felling, use and movement of timber across the country, to preserve India's forest cover]
31. **S Jagannath v. Union of India**, (1997) 2 SCC 87 [The Court held that Aquaculture industries functioning within 1km radius of the Chilika Lake must compensate the affected persons; Aquaculture functioning outside the CRZ should obtain prior permission and clearance from the authority within the prescribed time limit failing which they must stop their operations]
32. **M.C. Mehta v. Kamal Nath**, (1997) 1 SCC 388 [The apex court applied the doctrine of "Public Trust" for the first time. The government sanction to the deviation of the natural flow of the river for the sake of increasing the facilities of a motel was held to be violating the trust conferred on the state to protect the natural resources]
33. **M.C. Mehta (Taj Trapezium Matter) v. Union of India**, (1997) 2 SCC 353 [The Court recognised the need for the protection of the Taj Mahal. The Court relied on the precautionary principle and held that environmental measures must "anticipate, prevent and attack the causes of environmental degradation". It also placed the onus of proof on an industry to show that it operates in a manner that is environmentally benign. This case thus broadened the definition of the right to live and was able to limit industrial practices that were harmful so as to protect people's right to live in a safe environment]
34. **Animal and Environmental Legal Defence Fund v. Union of India**, (1997) 3 SCC 549 [The court issued additional conditions for granting fishing licenses which included: Each permit holder shall hold photo ID along with his photograph; these permits are neither transferable nor heritable; each permit holder shall have

the right to enter the National Park and reach the reservoir using the highway only; daily record of entry and exit of such permit holders has to be maintained in a register; the fishermen shall be prohibited from lighting fires in the forests for cooking purpose, etc.]

35. **Ivory Traders and Manufacturers Association v. Union of India**, AIR 1997 DEL 267 [The court declared that trade and businesses at the costs of disrupting life forms cannot be permitted even once. Further, it was held that Art 19 (1) (g) are not absolute and restrictions can be imposed on them in Public interest]
36. **Vellore Citizens Welfare Forum v. Union of India**, (1996) 5 SCC 647 [The court delivering directed all the Tanneries to deposit a sum of Rs. 10,000 as fine. The Court further held that though Tanneries are the major source of foreign exchange and also provides employment to several thousands of people, however, at the same time, it destroys the environment and poses a health hazard to everyone]
Indian Council for Enviro-Legal Action and Others v. Union of India, (1996) 3 SCC 212 [The Court imposed a penalty upon the polluting industries, which was to be paid with compound interest since the industries had intentionally failed to comply with the court's directions, which had seriously impacted the lives of a significant number of residents in the vicinity of the plants. The "polluter pays" principle, entails that if an activity of harmful nature is carried out, then the individuals conducting these activities will be required to compensate those affected to make up for the damage that is caused, irrespective of the fact that precautionary measures were taken in carrying out the activity]
37. **Pradeep Krishen v. Union of India**, 1996 (8) SCC 599 [The court held that for the tribal to acquire any rights over the forest land in the sanctuaries and national parks proper procedures have to be followed under the WPA, 1972. Till such procedure is complete, the State government cannot bar entry of the villagers or tribal into the Forest until such entry is likely to result in the destruction or damage to the environment of the area]
38. **Union Carbide Commission v. Union of India**, (1991) 4 SCC 584 [The Supreme Court directed the UCC to pay sum of 470 Million U.S. Dollars i.e. Rs. 750 crore towards compensation to the victims for the full and final settlement in satisfaction of all past, present and future claims and the same was accepted by both the parties]
39. **Rural Litigation Entitlement Kendra (RLEK) v. Union of India** AIR 1988 SC 2187 [The doctrine of sustainable development envisions a balance between development and ecology, so that the socio-economic needs of the country are served while reducing the adverse impact on the environment, and administrative and legislative measures for harmonizing environmental and developmental values should be formulated]
40. **M.C. Mehta v. Union of India & Ors.**, (1987) 4 SCC 463 (Kanpur Tanneries Case) [The Court held that the financial capacity of a tannery should be considered irrelevant while requiring them to establish primary treatment plants. Just like an industry which cannot pay minimum wages to its workers cannot be allowed to exist, the tanneries which cannot set up a primary treatment plant cannot be permitted to continue]
41. **Sachidanand Pandey v. State of West Bengal**, (1987) 2 SCC 295 [The Court held that whenever the matter of ecology is brought before the Court, the Court are not to shrug its shoulders saying that it is a matter for policy making authority]
42. **Municipal Council, Ratlam v. Shri Vardhichand & Others**, (1980) 4 SCC 162 [The court upheld public nuisance as a challenge to the component of social justice and rule of law and that decency and dignity are the non-negotiable facets of human rights]

SESSION 8
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1.	Maneela, <i>“Cyber Crimes: The Indian Legal Scenario”</i> 11(5) <i>US-China Law Review</i> 570-586 (2014)	885
2.	Jacqueline D. Lipton, <i>“Combating Cyber-Victimization”</i> 26(2) <i>Berkeley Technology Law Journal</i> 1103-1155 (2011)	903
3.	Vasundhara Majithia, <i>“The Changing Landscape of Intermediary Liability for E-Commerce Platforms: Emergence of a New Regime”</i> 15 <i>Indian Journal of Law and Technology</i> 470-493 (2019)	957
4.	Justice Raja Vijayaraghavan V., <i>Electronic Evidence</i> Workshop on Adjudicating Terrorism Cases National Judicial Academy, Bhopal-January 24, 2021	973
5.	Dr. Swati Mehta, <i>Cyber Forensics and Admissibility of Digital Evidence</i> , (2011) 5 <i>SCC J-54</i>	990
6.	<i>Standard Operating Procedures for the collection, analysis and presentation of electronic evidence</i> , Prepared by Cybercrime Programme Office of the Council of Europe (C-PROC) – 12 th September 2019	1008

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

1. **Ravinder Singh Alias Kaku v. State of Punjab** (2022) 7 SCC 581 [*Indian Evidence Act, 1872; Section 65B(4)*
- Certificate under Section 65B(4) is a mandatory requirement for production of electronic evidence - Oral evidence in the place of such certificate cannot possibly suffice. Criminal Trial - Circumstantial Evidence - Where a case rests squarely on circumstantial evidence, the inference of guilt can be justified only when all the incriminating facts and circumstances are found to be incompatible with the innocence of the accused. The circumstances from which an inference as to the guilt of the accused is drawn have to be proved beyond reasonable doubt and have to be shown to be closely connected with the principal fact sought to be inferred from those circumstances.]
2. **Arjun Panditrao Khotkar v. Kailash Kushanrao Gorantyal & Ors**, (2020) 7 SCC 1 [*Held that the certificate required under Section 65B(4) is a condition precedent to the admissibility of evidence by way of electronic record, as correctly held in by the 3-judge bench in Anvar P.V. v. P.K. Basheer, (2014) 10 SCC 473, and incorrectly “clarified” by a division bench in Shafhi Mohammad v. State of Himachal Pradesh, (2018) 2 SCC 801. The Court further clarified that the required certificate under Section 65B (4) is unnecessary if the original document itself is produced. The Court was hearing the reference from the July 26, 2019 order where, after quoting Anvar P.V. v. P.K. Basheer, (2014) 10 SCC 473 (a three Judge Bench decision of this Court), it was found that a Division Bench judgment in Shafhi Mohammad v. State of Himachal Pradesh, (2018) 2 SCC 801 may need reconsideration by a Bench of a larger strength.*

The Division bench, in the **Shafhi Mohammad judgment**, had “clarified” that the requirement of a certificate under Section 64B(4), being procedural, can be relaxed by the Court wherever the interest of justice so justifies, and one circumstance in which the interest of justice so justifies would be where the electronic device is produced by a party who is not in possession of such device, as a result of which such party would not be in a position to secure the requisite certificate.

3. **P. Gopalkrishnan v. State of Kerala and Anr.**, (2020) 9 SCC 161 [*The contents of the memory card/pen drive being electronic record must be regarded as a document. If the prosecution was relying on the same, ordinarily, the Accused must be given a cloned copy thereof to enable him/her to present an effective defence during the trial. However, in cases involving issues such as of privacy of the complainant/witness or his/her identity, the Court may be justified in providing only inspection thereof to the Accused and his/her lawyer or expert for presenting effective defence during the trial. The court may issue suitable directions to balance the interests of both sides.*]
4. **State by Karnataka Lokayukta, Police Station, Bengaluru v. M.R. Hiremath**, (2019) 7 SCC 515 [*Requirement of producing a certificate arises, when the electronic record is sought to be used as evidence*]
Shamsher Singh Verma v. State of Haryana, (2016) 15 SCC 485 [*The object of Section 294 Code of Criminal Procedure is to accelerate pace of trial by avoiding the time being wasted by the parties in recording the unnecessary evidence. Where genuineness of any document is admitted, or its formal proof is dispensed with, the same may be read in evidence. In view of the definition of 'document' in Evidence Act, and the law laid down by this Court, the Court held that the compact disc is also a document. It is not necessary for the court to obtain admission or denial on a document Under Sub-section (1) to Section 294 Code of Criminal Procedure personally from the accused or complainant or the witness. The endorsement of admission or denial made by the counsel for defence, on the document filed by the prosecution or on the application/report with which same is filed, is sufficient compliance of Section 294 Code of Criminal Procedure. Similarly on a document filed by the defence, endorsement of admission or denial by the public prosecutor is sufficient and defence will have to prove the document if not admitted by the prosecution. In case it is admitted, it need not be formally proved, and can be read in evidence. In a complaint case such an endorsement can be made by the counsel for the complainant in respect of document filed by the defence.*]
6. **Anvar PV v. P.K. Basheer and Ors.**, (2014) 10 SCC 473 [*The Court held that for any electronic evidence to be admissible in its secondary form, it is necessary to meet the mandatory requirements of Section 65-B, which includes giving a certificate as per terms of Section 65-B (4), at the time of proving the record and not anytime later, failing which the electronic record will be considered inadmissible.*]
7. **Gajraj v. State (NCT of Delhi)**, (2011) 10 SCC 675 [*The court observed that the IEMI number of mobile phone (sim) registered in the name of a person being evidence of a conclusive nature, it cannot be discarded on the basis of minor discrepancies especially when there is serious discrepancy in oral evidence.*]
8. **Virendra Khanna v. State of Karnataka**, 2021 SCC OnLine Kar 5032 [*Suo moto order or Direction by a Court to Share Passwords, Passcodes, Biometrics*]
9. **Rakesh Shetty v. State of Karnataka**, 2020 SCC OnLine Kar 4638 [*whether the investigating agency can retain the user name and password of social media/digital platform like Facebook and YouTube pending investigation*]

Cybercrimes

- ✓ Manohar Lal Sharma v. Union of India and Others, 2021 SCC OnLine SC 985
- ✓ A v. State of Uttar Pradesh and Another, (2020) 10 SCC 505
- ✓ Google India Pvt. Ltd. v. Visaka Industries, (2020) 4 SCC 162
- ✓ Internet and Mobile Association of India v. Reserve Bank of India, (2020) 10 SCC 274
- ✓ Tehseen S. Poonawalla v. Union of India, (2019) 9 SCC 501
- ✓ Gagan Harsh Sharma and Another v. State of Maharashtra Through Sr. Police Inspector and Another, (2019) 1 AIR Bom R (Cri) 201
- ✓ Videos of Sexual Violence and Recommendations, In Re, (2018) 15 SCC 551
- ✓ Christian Louboutin v. Nakul Bajaj & Ors., (2018) 253 DLT 728
- ✓ Sharat Babu Digumarti v. Government (NCT of Delhi), (2017) 2 SCC 18
- ✓ Myspace Inc. v. Super Cassettes Industries Ltd., (2017) 236 DLT 478 (DB)
- ✓ Ramesh Rajagopal v. Devi Polymers Pvt. Ltd., (2016) 6 SCC 310
- ✓ Shreya Singhal v. Union of India, (2015) 5 SCC 1
- ✓ Sabu Mathew George v. Union of India and Others, (2015) 11 SCC 545
- ✓ Nasscom v. Ajay Sood, (2005) 119 DLT 596
- ✓ Yahoo!, Inc. v. Akash Arora & Anr., (1999) 78 DLT 285
- ✓ Impresario Entertainment & Hospitality Pvt. Ltd. v. S & D Hospitality, (2018) 246 DLT 337
- ✓ World Wrestling Entertainment Inc v. M/s. Reshma Collection & Ors., (2017) 237 DLT 197
- ✓ Banyan Tree Holding (P) Limited v. A. Murali Krishna Reddy & Anr., (2010) 42 PTC 361
- ✓ (India TV) Independent News Service Pvt. Ltd. v. India Broadcast Live LLC & Ors., ILR (2007) II Delhi 1231
- ✓ Rediff Communication Limited v. Cyberbooth and Another, AIR 2000 Bom 27
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SESSION 9

FORENSIC EVIDENCE IN CIVIL & CRIMINAL TRIALS

1.	Goswami, G.K., <i>Forensic Law</i> , 51 Annual Survey of Indian Law 597-630 (2015)	1045
2.	Ligertwood, Andrew, <i>Can DNA Evidence Alone Convict an Accused</i> , 33 Sydney L. Rev. 487 (2011)	1066
3.	Subhash Chandra Singh, <i>DNA Profiling and the Forensic use of DNA Evidence in Criminal Proceedings</i> , Journal of the Indian Law Institute , APRIL-JUNE 2011, Vol. 53, No. 2, pp. 195-226.	1094
4.	Dr. Nirpat Patel, Vidhwansh K Gautaman & Shyam Sundar Jangir, <i>The Role of DNA in Criminal Investigation – Admissibility in Indian Legal System and Future Perspectives</i> , 2(7) International Journal of Humanities and Social Science Invention 15-21 (2013)	1127

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*(Judgments mentioned below include citations and short notes for reference only.
Refer full judgment for conclusive opinion)*

1. **Ashok Kumar v. Raj Gupta**, (2022) 1 SCC 20 [When the plaintiff is unwilling to subject himself to the DNA test, forcing him to undergo one would impinge on his personal liberty and his right to privacy.]
2. **Ashok Kumar Chandel v. State of UP**, 2022 SCC OnLine SC 1525 [Where there are credible injured eye witness testimonies, certain minor variations, such as non-recovery of blood stained clothes, certain other weapons etc. will not be fatal to the case of the prosecution.] [Sec. 293 CrPC - SC observed that a ballistic report forwarded by Director/deputy Director/Assistant Director of a lab under the seal to be in compliance with the statutory requirement under Sec. 293 CrPC]
3. **Veerendra v. State of Madhya Pradesh**, 2022 SCC OnLine SC 622 [The lapse or omission (purposeful or otherwise) to carry out DNA profiling, by itself, cannot be permitted to decide the fate of a trial for the offence of rape especially, when it is combined with the commission of the offence of murder - Even if such a flaw had occurred in the investigation in a given case, the Court has still a duty to consider whether the materials and evidence available on record before it, is enough and cogent to prove the case of the Prosecution.]
4. **Hari Om alias Hero v. State of Uttar Pradesh**, (2021) 4 SCC 345 [In absence of any other reliable incriminatory materials, the evidence of child witness could not be made the basis to convict appellant. Further, opinion of fingerprint expert is not substantive evidence and such opinion can only be used to corroborate some items of substantive evidence which are otherwise on record.]
5. **Inayath Ali & Anr v. State of Telangana & Anr**, SLP (Cr1) No. 4946/2017 [DNA Test for Paternity – Right to Privacy Test could be prejudicial to the privacy rights of persons subjected to it – Sec. 112 of Indian Evidence Act, 1872, (Para 7)]
6. **Pattu Rajan v. State of Tamil Nadu**, (2019) 4 SCC 771 [Reliability of The Novel “Superimposition Technology” for Investigation & its Comparative Preference to DNA Test]
7. **Chennadi Japapathi Reddy v. Baddam Pratapa Reddy**, (2019) 14 SCC 220 [A court must be cautious while evaluating expert evidence, which is a weak type of evidence and not substantive in nature it may not be safe to solely rely upon such evidence, and the Court may seek independent and reliable corroboration in the facts of a given case. Generally, mere expert evidence as to a fact is not regarded as conclusive proof of it.]
8. **Rajendra Pralhadrao Wasnik v. State of Maharashtra**, (2019) 12 SCC 460 [DNA profiling is an extremely accurate way to compare a suspect’s DNA with crime scene specimens, victim’s DNA on the blood-stained clothes of the accused or other articles recovered, DNA testing can make a virtually positive identification when the two samples match. A DNA finger print is identical for every part of the body, whether it is the blood, saliva, brain, kidney or foot on any part of the body. It cannot be changed; it will be identical no matter what is done to a body. Even relatively minute quantities of blood, saliva or semen at a crime scene or on clothes can yield sufficient material for analysis. The Experts opine that the identification is almost hundred per cent precise. Using this i.e. chemical structure of genetic information by generating DNA profile of the individual, identification of an individual is done like in the traditional method of identifying finger prints of offenders.]
9. **Ritesh Sinha v. State of UP**, 2019 SCC OnLine SC 956 [The Supreme Court has conceded to judicial magistrate the power to order a person to give sample of his voice for the purpose of investigation of crime “until explicit provisions are engrafted in the Code of Procedure by Parliament”.]

10. **Mukesh v. State (NCT of Delhi)**, 2017 (6) SCC 1 (Nirbhaya Case) [*The DNA profiling, which was done after taking due care for quality, proved to the hilt the presence of the Accused in the bus and their involvement in the crime. The submission that certain samples were later on taken from the Accused and planted on the deceased to prove the DNA aspect was noted only to be rejected because it had no legs to stand upon. The argument that the transfusion of blood had the potentiality to give rise to two categories of DNA or two DNAs was farthest from truth and there was no evidence on that score. On the contrary, the evidence in exclusivity points to the matching of the DNA of the deceased with that of the Accused on many aspects. The evidence brought on record with regard to finger prints was absolutely impeccable and the Trial court and the High Court correctly placed reliance on the same and that there was no reason to disbelieve the same. The scientific evidence relating to odontology showed how far the Accused proceeded and where the bites were found and it was extremely impossible to accept the submission that it had been a manipulation by the investigating agency to rope in the Accused persons. The evidence brought on record as regards criminal conspiracy stands established. The brutal, barbaric and diabolic nature of the crime was evincible from the acts committed by the Accused persons. The aggravating circumstances outweigh the mitigating circumstances now brought on record. Therefore, the High Court correctly confirmed the death penalty.*]
11. **S.P.S. Rathore v. Central Bureau of Investigation & Another**, (2017) 5 SCC 817 [*It is not essential that the handwriting expert must be examined in a case to prove or disprove the disputed writing. It is opinion evidence and it can rarely, if ever, take the place of substantive evidence. It is thus clear, that uncorroborated evidence of a handwriting expert is an extremely weak type of evidence and the same should not be relied upon either for the conviction or for acquittal.*]
12. **Machindra v. Sajjan Gafla Rankhamb & other**, (2017) 13 SCC 491 [*Where medical evidence is such that it does not give any clear opinion with respect to injuries inflicted on body of victim or deceased, as the case may be, possibilities that injuries might have been caused by accused are also ruled out. such medical evidence is very important to assess the testimonies of eyewitness and whether they can be accepted or not.*]
13. **Nandlal Wasudeo Badwaik v. Lata Nandlal Badwaik & Anr** (2014) 2 SCC 576 [*Section 112 of the Evidence Act does not create a legal fiction but provides for presumption.*]
14. **Sushil Sharma v. State (NCT of Delhi)**, (2014) 4 SCC 317 (Tandoor Murder Case) [*Medical evidence establishing that death was caused by bullet injury in head and neck of deceased and that burns were post-mortem- CFSL report establishing that bullets recovered from flat and skull of deceased were fired from A-1's revolver*] [*Court held that the chain of circumstances is complete and unerringly points to the guilt with the help of medical evidence including port-mortem and DNA report.*]
15. **Anil v. State of Maharashtra**, (2014) 4 SCC 69 [*Regarding Variance in Results of DNA Tests & its Impact on Reliability*]
16. **Dharam Deo Yadav vs State Of U.P.**, (2014) 5 SCC 509 [*Crime Scene Management - Judiciary should also be equipped to understand and deal with such scientific materials. Constant interaction of Judges with scientists, engineers would promote and widen their knowledge to deal with such scientific evidence and to effectively deal with criminal cases based on scientific evidence.*]
17. **Nupur Talvar v. CBI And Others**, (2012) 11 SCC 465 [*In the stage of issuance of process, the Magistrate is not required to weigh the evidence meticulously as if it was the trial court nor is it required to be scrutinize the evidence by same standard by which the trial court scrutinizes the evidence at the time of framing of charge*]

18. **Dayal Singh & Others v. State of Uttaranchal**, (2012) 8 SCC 263 [*Expert report should be well authored and convincing. Report, duly proved has evidentiary value but it is not binding on the court.*]
19. **Surendra Koli v. State of Uttar Pradesh & others**, (2011) 4 SCC 80 [*Under medical jurisprudence, the matching of DNA of deceased with that of her parents and brother is considered as an established identity of the dead body.*]
20. **Santosh Kumar Singh v. State**, (2010) 9 SCC 747 [Priyadarshini Matoo Case][*DNA report is “scientifically accurate and an exact science”, & court cannot substitute its own opinion for that of an expert*]
21. **Selvi vs. State of Karnataka**, AIR 2010 SC 1974 [*The Supreme Court in this case considered the constitutionality of various evidence gathering techniques including narco analysis, BEAP (Brain Electrical Activation Profile) or ‘brain mapping’, and polygraph tests.*]
22. **Bhabani Prasad Jena v. Convener Secretary Orissa State Commission for Women and Another** (2010) 8 SCC 633 [*The Court noted the sensitivities involved with the issue of ordering a DNA test, and therefore held that the court should use its discretion only after balancing the interests of the parties. It ruled that a court should consider the ‘eminent need’ and weigh the pros and cons of ordering a DNA test, especially when there is a conflict between the right to privacy of a person who is being compelled to take the test and the duty of the court to reach the truth.*]
23. **Premjibhai Bachubhai Khasiya v. State of Gujarat**, 2009 SCC OnLine Guj 12076, [*Whether the DNA report can be the sole basis and conclusive evidence of the paternity of the child (foetus) or guilt of the accused for rape, in absence of any other evidence*]
24. **Pantangi Balarama Venkata Ganesh vs State Of A.P.**, 2009 Cri. L.J. 4144 [*“there cannot be any doubt whatsoever that there is a need of quality control. Precautions are required to be taken to ensure preparation of high molecular weight DNA complete digestion of the samples with appropriate enzymes, and perfect transfer and hybridization of the blot to obtain distinct bands with appropriate control.*]
25. **Ghurey Lal v. State of UP**, (2008) 10 SCC 450, [*According to the trial court, the medical evidence coupled with the Ballistic Expert report revealed the existence of two fires from two weapons and as such was inconsistent with the prosecution story. In our administration of criminal justice an accused is presumed to be innocent unless such a presumption is rebutted by the prosecution by producing the evidence to show him to be guilty of the offence with which he is charged. Further if two views are possible on the evidence produced in the case, one indicating to the guilt of the accused and the other to his innocence, the view favourable to the accused is to be accepted.*]
26. **Banarsi Dass v. Teeku Dutta**, (2005) 4 SCC 449 [*The verdict of displacement of the presumption shall not be rendered on the basis of slender materials. If a husband and wife were living together during the time of conception but the DNA test revealed that the child was not born to the husband, the conclusiveness in law would remain irrebuttable.*]
27. **Goutum Kundu v. State of West Bengal** (1993) 3 SCC 418 [*It was held that even without the consent of the guardian ad litem, the court had power to order an infant be subjected to a blood group test. There is no justification for the court below to refuse the same on the ground that [Section 112](#) of the Evidence Act would be an obstacle in seeking relief of blood group test.*]
28. **State of Bombay v. Kathi Kalu Oghad** AIR 1961 SC 1808 [*the use of material samples such as fingerprints for the purpose of comparison and identification does not amount to a testimonial act for the purpose of Article 20(3).*]

SESSION 10		
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1.	Jeremy D. Fogel, <i>Mindfulness and Judging</i> , 101(1) <i>Judicature</i> (2017)	1135
2.	Michael Kirby, <i>Judicial Stress and Judicial Bullying</i> , 14(1) <i>QUT Law Review</i> 1-14 (2014)	1138
3.	Terry A. Maroney, <i>Judicial Temperament, Explained</i> , 105(2) <i>Judicature</i> 48 (2021)	1152
4.	Allison P. Harris & Maya Sen, <i>Bias and Judging</i> , 22 <i>Annual Review of Political Science</i> 241- 249 (2019)	1162
5.	Monica K. Miller, <i>Addressing the Problem of Courtroom Stress</i> , <i>Judicature</i> · September 2007	1183
6.	Cole-Mossman, Jennie et al., <i>Reducing Judicial Stress through Reflective Practice</i> , 54(2) <i>Court Review</i> 90-94 (2018)	1194
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1.	Justice R.V. Raveendran, <i>Mediation and Conciliation – Their Importance and Relevance</i> , <i>Anomalies in Law & Justice</i> , EBC Publication, 1 st Edition (2021)	1239
2.	Anand Kumar Singh, <i>Arbitrability of Disputes in India: The Changing Landscape of 'Exclusive Jurisdiction' Discourse</i> , 7.1 <i>NLUJ LR</i> (2020) 70	1275
3.	Alternative Dispute Resolution — An Overview Mediation, Conciliation And Arbitration – A Comparative Analysis in Justice R S Bachawat's <i>LAW OF ARBITRATION & CONCILIATION</i> , 6th ed Lexis Nexis India	1295
4.	Deepika Kinhal & Tarika Jain , <i>ODR- The Future of Dispute Resolution in India</i> , Vidhi Centre for Legal Policy July 2020	1312
5.	Tariq Khan and Shriya Luke, <i>Making Alternative Dispute Resolution the Primary Mode of Dispute Resolution</i> , 2022 <i>SCC OnLine Blog Exp</i> 36	1356
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- Alok Prasanna Kumar, Ameen Jauhar, Kritika Vohra and Ishana Tripathi, ***Strengthening Mediation In India Interim Report on Court Annexed Mediations***, The Vidhi Centre for Legal Policy July 2016.
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4. *Arif Azim Co. Ltd. v. Micromax Informatics FZE*, 2024 SCC OnLine SC 3212
5. *Interplay between Arbitration Agreements under the Arbitration & Conciliation Act, 1996 & the Indian Stamp Act, 1899, In re*, 2023 SCC OnLine SC 1666. [7 Judge Bench considered the judgment in *N.N. Global Mercantile (P) Ltd. v. Indo Unique Flame Ltd.*, (2023) 7 SCC 1]
6. *BBR (India) (P) Ltd. v. S.P. Singla Constructions (P) Ltd.*, (2023) 1 SCC 693
7. *Patil Automation (P) Ltd. v. Rakheja Engineers (P) Ltd.*, (2022) 10 SCC 1
8. *Estate Officer v. H.V. Mankotia*, (2022) 12 SCC 609
9. *Canara Bank v. G.S. Jayarama*, (2022) 7 SCC 776
10. *Essar House (P) Ltd. v. Arcellor Mittal Nippon Steel India Ltd.*, 2022 SCC OnLine SC 1219
11. *National Highways Authority of India v. P. Nagaraju*, 2022 SCC OnLine SC 864
12. *Indian Oil Corpn. Ltd. v. NCC Ltd.*, 2022 SCC OnLine SC 896
13. *I-Pay Clearing Services (P) Ltd. v. ICICI Bank Ltd.*, (2022) 3 SCC 121
14. *Mutha Construction v. Strategic Brand Solutions Pvt Ltd*, Special Leave Petition (Civil) No. 1105 of 2022
15. *State of Chhattisgarh v. SAL Udyog (P) Ltd.*, (2022) 2 SCC 275
16. *Project Director, National Highways No. 45 E and 220 National Highways Authority of India v. M. Hakeem and Another*, (2021) 9 SCC 1
17. *Sanjiv Prakash v. Seema Kukreja And Ors.*, (2021) 9 SCC 732
18. *Chintels India Ltd. v. Bhayana Builders Pvt. Ltd.*, (2021) SCC OnLine SC 80
19. *Vidya Drolia v. Durga Trading Corpn.*, (2021) 2 SCC 1 (*Overruled*)
20. *Delhi Airport Metro Express (P) Ltd. v. DMRC*, (2021) 1 SCC 131
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22. *Kandla Export Corporation and Ors. vs. OCI Corporation and Ors.* (2018)14SCC715
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27. *K. Srinivas Rao v D.A. Deepa*, (2013) 5 SCC 226

SESSION 12		
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2.	Sir Geoffrey Vos, <i>UCL - The Future of Courts: Expert Panel And Discussion</i> , Master of Rolls, UC Bentham House, May, 2024	
3.	Maura R. Grossman, Paul W. Grimm, Daniel G. Brown, and Molly (Yiming) Xu, <i>The GPT Judge: Justice in A Generative AI World</i> , Duke Law & Technology Review Vol. 23 (1), pp 1-34, 2023	1431
4.	Sandeep Bhupatiraju, Daniel L. Chen and Shareen Joshi, <i>The Promise of Machine Learning for the Courts of India</i> , National Law School of India Review, 33 (2), pp.462-474, 2021	1465
5.	Richard Susskind, <i>The Future of Courts, 6(5) Remote Courts</i> , Centre on the Legal Profession, Harvard Law School, 1-16, 2020	1479
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2. <i>Anil Kapoor v. Simply Life India</i> , 2023 SCC OnLine Del 6914		

3. *Hewlett Packard India Sales Private Limited (Now HP India Sales Private Limited) v. Commissioner of Customs (Import), Nhava Sheva*, [(2023) 7 SCC 799]
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6. *XXXX v. YYYY and Others*, 2022 SCC OnLine SC 1123,
7. **In Re: Children in Street Situations**, 2022 SCC OnLine SC 189
8. *In Re. Guidelines for Court Functioning Through Video Conferencing During Covid-19 Pandemic*, (2021) 5 SCC 454
9. *Arnab Manoranjan Goswami v. The State of Maharashtra*, (2021) 2 SCC 427
10. *Praveen Arimbrathodiyil v. Union of India*, WP (C) No. 9647 of 2021, order dated 9-4-2021 (Ker)(Pending)(Ker); *Foundation for Independent Indian Journalism v. Union of India*, WP (C) No. 3125 of 2021, order dated 28-6-2021 (Del)(Pending)(Del)
11. *Pradyuman Bisht v. Union of India*, (2018) 15 SCC 639
12. *Swapnil Tripathi v. Supreme Court of India*, (2018) 10 SCC 639
13. *Meters and Instruments (P) Ltd. v. Kanchan Mehta*, (2018) 1 SCC 560
14. *Al Azhar Medical College & Super Speciality Hospital v. Union of India*, (2018) 10 SCC 567
15. *Tata Sky Limited v. National Internet Exchange of India*, 2019 SCC OnLine Del 7931
16. *K. S. Puttaswamy v. Union of India*, (2019) 1 SCC 1 (*Aadhaar*)
17. *Justice K. S. Puttaswamy (Retd.) v. Union of India*, (2017) 10 SCC 1
18. *Shreya Singhal v. Union of India*, (2015) 5 SCC 1
19. *Central Electricity Regulatory Commission v. National Hydroelectric Power Corpn. Ltd.*, (2010) 10 SCC 280
20. *State of Maharashtra and P.C. Singh v. Praful B. Desai*, (2003) 4 SCC 601
21. *Grid Corpn. of Orissa Ltd. v. AES Corpn.*, (2002) 7 SCC 736